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सं. 19] नई दिल्ली, मई 6—मई 12, 2007, शनिवार/वैशाख 16—वैशाख 22, 1929
No. 19] NEW DELHI, MAY 6—MAY 12, 2007, SATURDAY/VAISAKHA 16—VAISAKHA 22, 1929

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुष्क संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 25 अप्रैल, 2007

का. आ. 1342.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 22 सी आंडी 2006 दिनांक 16-01-2007 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से (1) डा. पी. एस. प्रभाकरन, वाइस चांसलर, (2) डा. बी. आई. हुक्केरी, रजिस्ट्रार (3) डा. हनुमंत प्रसाद, सहायक रजिस्ट्रार, (4) डा. एच. एल. रविन्द्र प्रसाद, सहायक रजिस्ट्रार, (5) डा. बी. आर. गोपाल कृष्णप्पा, फील्ड सुपरवाइजर, (6) डा. प्रानस गुदुर, सहायक रजिस्ट्रार सभी राजीव गांधी यूनिवर्सिटी ऑफ हेल्थ साइंसज (आरजीएचयूएस), बंगलौर (7) डा. नीतीश आर. देसाई श्री गणेश, सं. 45, राज नगर, नजदीक एसबीआई फ्लैट, हुबली-580032 (8) डा. आनंद हलयाल, पोस्ट-टोरगल, तालुक

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रामदुर्ग बेलगाम जिला (9) डा. गिरिधर एस. ए. अनकादा, सं. 13, एसवाई सं. 26/1-सी, तृतीय मेन, 11वां कास, सन्द्यागम्पा रेड्डी लेआउट, हेब्बल, केम्पापुरा, बंगलौर-24 (10) डा. मेखला द्वारकानाथ बी. सं. 237 ए, रामास्कन्दा, चौथा मेन रोड, गंगानगर, बंगलौर-560032 (11) डा. संदीप बी.ई. सं. 139 एफएफ 3, सप्तगिरि रेजीडेंसी स्टेज, बसवेसवाड़ा, तृतीय मेन रोड, गरहुलक्ष्मी लेआउट, द्वितीय नगर, बंगलौर-79 (12) डा. नेहा बंसल द्वारा मिस्टर प्रताप नारायण अग्रवाल, सं. 2ए/393, आज़ाद नगर, कानपुर (13) डा. एस.सी. अशोक सं. 640 चौथा क्रास, छठा मेन द्वितीय ब्लॉक, बीएसके प्रथम स्टेज, हनुमंतनगर, बंगलौर (14) डा. एच. श्रीनिवास सं. 934/12, सातवां क्रास, 13वां मेन एचएमटी लेआउट, मतिकरे, बंगलौर-54 (15) डा. भवानी एम. हुलिनायकर शिव दिप्ति, तृतीय क्रास, एस.एस. पुरम, तमकूर-572102 (16) डा. सीदा टैगोर सं. 481, एचएमटी लेआउट, छठा मेन, आर.टी. नगर, बंगलौर-560032 (17) डा. बबीता आर. सं. 87ए, कालीदास रोड, बी.बी. मोहल्ला, मैसूर (18) डा. नंदिता डी. सेठी, पूर्णिमा निवास, 76, बदागाबेती बेल्लूर, जगन्नाथ नगर, उदूपी-576101 (19) डा. हर्ष एस. के. आदर्श नर्सिंग होम, शारदा

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देवी नगर, तमकूर-572102 (20) डा. रमन एम.एच. शिव दिप्ति, तृतीय क्रॉस, एस.एस. पुरम, तमकूर-572102 (21) डा. शान्तनु सक्कूर, जी-3, आकाशगंगा अपार्टमेंट्स, चौथा क्रॉस, पांचवां मेन रोड, गंगा नगर, बंगलूर-560032 (22) डा. गिरीश बी. सं. 79, चौथा मेन एम आई जी, प्रथम स्टेज, केएचबी कालोनी, बसवेसवाड़ा नगर बंगलूर-79 (23) श्री शंकरन मुन्नावल्ली, निदेशक, केएलई सोसायटिज बेलगाम (24) श्री चिक्कानुमयया, सं. 641, 8वां मेन, द्वितीय स्टेज, विनायक लेआउट, नगर भावी, बंगलूर-72 (25) श्री मंजूनाथ, सं. 22/1, छठा क्रॉस, चौथा मेन एडो हल्ली, बंगलूर-560079 (26) श्री विनय कलवाड़ी, बंगलूर (27) श्री कुलकर्णी श्रीनिवास, सं. 2/4 राजधानी कॉलोनी, धारवाड (28) श्री रेड्डी, (29) श्री शेखर (30) डा. सुमंत हंगड़े, पूर्णिमा निवास, 76, बदागाबेती बेल्लूर, जगन्नाथ नगर, उदुपी-576101 तथा अन्य किन्हीं अन्य लोक सेवकों अथवा व्यक्तियों के विरुद्ध राजीव गांधी यूनिवर्सिटी ऑफ हेल्थ साइंसेज (आरजीएचयूस), बंगलूर द्वारा संचालित पोस्ट ग्रेजुएट इंटरन्स टेस्ट, 2006 संबंधी उनके कपटपूर्ण कृत्यों के संबंध में भारतीय दंड संहिता की धारा 120-बी संपठित धारा 420 तथा भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13 (2) संपठित धारा 13(1) (डी) के अधीन दंडनीय अपराधों तथा तत्संबंधी सारभूत अपराधों और उक्त अपराधों से संबंधित अथवा संसक्त उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराध मामलों के पंजीकरण और अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/10/2007-ए.वी.डी.-II]

चन्द्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 25th April, 2007

S. O. 1342.— In exercise of the powers conferred by sub-section (1) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Karnataka vide Notification No. HD 22 COD 2006 dated 16-01-2007 hereby extends the power and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for registration of the case and investigation of offences punishable under section 120-B r/w 420 IPC and Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988 and substantive offences thereof against (1) Dr. P. S. Prabhakaran, Vice Chancellor, (2) Dr. V. I. Hukkeri, Registrar, (3) Dr. Hnumantha Prasad, Asstt. Registrar, (4) Dr. H.L. Ravindradas, Asstt. Registrar, (5) Dr. B. R. Gopalakrishnappa, Field Supervisor, (6) Dr. Pranesh Gudur, Asstt. Registrar, all of Rajiv Gandhi University of Health Sciences (R.G.H.U.S.), Bangalore, (7) Dr. Nitish R. Desai, Shree Ganesh, No. 45, Rajnagar, Near S.

B. I. Flat, Hubli-580032, (8) Dr. Anand Halyal, at Post Torgal, Taluk Ramdurg, Belgaum District, (9) Dr. Giridhar S.A. Ankada, No. 13, by. No. 26/1-C, 3rd Main, 11th Cross, Sandiyagappa Reddy Lay Out, Hebbgl Kempapura, Bangalore-560024, (10) Dr. Medhala Dwarakanath B. No. 237, A. Ramaskanda, 4th Main Road, Ganganagar, Bangalore-560032, (11) Dr. Sandeep B.E. No. 139 FF3, Sapthagiri Residency State, Basveshwara 3rd Main Road, Gruhlakxmi Lay out, 2nd Nagar, Bangalore-560079, (12) Dr. Neha Bansal C/o Mr. Pratap Narain Agarwal, No. 2A/393, Ajadnagar, Kanpur, (13) Dr. S.C. Ashoka, No. 640, 4th Cross, 6th Main 2nd Block, B.S.K. 1st Stage, Hanumanthanagar, Bangalore, (14) Dr. H. Srinivas, No. 934/12, 7th Cross, 13th Main, HMT Layout, Mattikere, Bangalore-560054, (15) Dr. Bhavani M. Hulinayakar Shiv Deepti, 3rd Cross, S. S. Puram, Tumkur-572102, (16) Dr. Sida Tagore, No. 481, HMT Layout, 6th Main, R. T. Nagar, Bangalore-560032, (17) Dr. Babitha R. No. 87, Kalidasa Road, V.V. Mohalla, Mysore, (18) Dr. Nandita D. Shjetty, Poornima Nivas, 76, Badagabetti Bailoor, Jaganath Nagar, Udupi-576101, (19) Dr. Harsha S. K. Adarsha Nursing Home, Sharda Devi Nagar, Tumkur-572102, (20) Dr. Raman M. H. Shiv Deepti, 3rd Cross, S. S. Puram, Tumkur-572102, (21) Dr. Shantanu Savkur, G-3, Akashganga Apts, 4th Cross, 5th Main Road, Ganga Nagar, Bangalore-560032, (22) Dr. Girish B. No. 79, 4th Main MIG, 1 Stage, KHB Colony, Basaveshwara Nagar, Bangalore-560079, (23) Shri Shankanna Munavalli, Director, KLE Societies, Belgaum, (24) Shri Chikkahanumaiah, No. 641, 8th Main II stage, Vinayaka Layout, Nagar Bhavi, Bangalore-560072, (25) Shri Manjunath, No. 22/1, 6th Crs, 4th Main, A.D. Halli, Bangalore-560079, (26) Shri Vinayaka Kalwadi, Bangalore, (27) Shri Kulkarni Srinivasa, No. 2/4, Rajdhani Colony, Dharwad, (28) Shri Reddy, (29) Shri Shekar, (30) Dr. Sumanth Hedge, Poornima Nivas, 76, Badagabetti Bailoor, Jagannath Nagar, Udupi-576101 for their fraudulent acts pertaining to the conduct of Post Graduate Entrance Test, 2006 by Rajiv Gandhi University of Health Sciences (RGHUS), Bangalore, within the whole State of Karnataka and any other public servants or persons in relation to or in connection with the said offences, and any other offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/10/2007-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 4 मई, 2007

का. आ. 1343.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उत्तर प्रदेश राज्य सरकार, गृह विभाग की अधिसूचना सं. 1183/6-पी-12-2007-1 (12)डी/07 दिनांक 30-04-2007 द्वारा प्राप्त सहमति से भारतीय दंड संहिता की धारा 302 के अधीन पुलिस स्टेशन सिविल लाइन्स, जिला-अलीगढ़, उत्तर

प्रदेश में 25-4-2007 की रात में अलीगढ़ मुस्लिम यूनिवर्सिटी के एक छात्र श्री कौसर सालिक मजहर की हत्या के संबंध में अपराध सं. 270/2007 तथा उपर्युक्त अपराधों से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेषणों और षडयंत्रों तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उत्तर प्रदेश राज्य पर करती है।

[सं. 228/23/2007-ए.वी.डी.-II]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 4th May, 2007

S. O. 1343.— In exercise of powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Uttar Pradesh, Home Department vide Notification No. 1183/6-12-2007-1(12)D/07 dated 30-04-2007 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for investigation of Crime No. 270/2007 under Section 302 IPC, P.S. Civil Lines, Distt. Aligarh, UP regarding assassination of Shri Kausar Salique Mazhar, a student of Aligarh Muslim University in the night of 25-04-2007 and abetment, attempts and conspiracies in relation to or in connection with the said offences and any other offence committed in the course of the same transaction or arising out of the same facts.

[No. 228/23/2007-AVD-II]

CHANDRA PRAKASH, Under Secy.

कार्यालय मुख्य आयकर आयुक्त

जोधपुर, 17 अप्रैल, 2007

सं. 1/2007-08

का.आ. 1344.— आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खंड (23ग) के उपखंड (vi) के साथ पठित आयकर नियमावली-1962 के नियम 2 ग क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जोधपुर एतद्वारा "श्री एस. पी. यू. जैन शिक्षण संघ, फाल्ना जिला पाली (राजस्थान)," को उक्त धारा के प्रयोजनार्थ निर्धारण वर्ष 2005-06 से 2007-08 तक के लिए अनुमोदित करते हैं।

यह अनुमोदन इस शर्त के अधीन है कि संस्था आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23ग) के उपखंड (vi) सहपठित आयकर नियमावली-1962 के नियम 2ग क के प्रावधानों की निरन्तर अनुपालन करती रहेगी।

[क्रमांक : मुआआ/जो./आअ(तक.)/10(23ग)(vi)/2007-08]

विजय रंजन, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Jodhpur, the 17th April, 2007

No. 1/2007-08

S.O. 1344.— In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2CA of the Income-tax Rules, 1962, I, the Chief Commissioner of Income-tax, Jodhpur, hereby approve "Shri S.P.U. Jain Shikshan Sangh, Falna, District Pali (Rajasthan)" for the purpose of the said section for the assessment years 2005-06 to 2007-08.

This approval is subject to the Institute's continued compliance with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with Rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/ITO(Tech)/Ju/10(23C)/2007-08]

VIJAY RANJAN, Chief Commissioner of Income-tax

जोधपुर, 17 अप्रैल, 2007

सं. 2/2007-08

का.आ. 1345.— आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खंड (23ग) के उपखंड (via) के साथ पठित आयकर नियमावली-1962 के नियम 2 ग क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जोधपुर एतद्वारा "भैरव नेत्र यान समिति, बिसलपुर, जिला-पाली (राजस्थान)" को उक्त धारा के प्रयोजनार्थ निर्धारण वर्ष 2005-06 से 2007-08 तक के लिए अनुमोदित करते हैं।

यह अनुमोदन इस शर्त के अधीन है कि संस्था आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23ग) के उपखंड (via) सहपठित आयकर नियमावली, 1962 के नियम 2ग क के प्रावधानों की निरन्तर अनुपालन करती रहेगी।

[क्रमांक : मुआआ/जो./आअ(तक.)/10(23ग)(via)/2007-08]

विजय रंजन, मुख्य आयकर आयुक्त

Jodhpur, the 17th April, 2007

No. 2/2007-08

S.O. 1345.— In exercise of the powers conferred by sub-clause (via) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2CA of the Income-tax Rules, 1962, I, the Chief Commissioner of Income-tax, Jodhpur, hereby approve "Shri Bhairav Netra Yagna Samiti, Bisalpur, District Pali (Rajasthan)" for the purpose of the said section for the assessment years 2005-06 to 2007-08.

This approval is subject to the applicant's continued compliance with the provisions of the sub-clause (via) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with Rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/ITO(Tech.)/Ju/10(23C)(via)/2007-08]

VIJAY RANJAN, Chief Commissioner of Income-tax

जोधपुर, 17 अप्रैल, 2007

सं. 3/2007-08

का.आ. 1346.—आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खंड (23ग) के उप-खंड (vi) के साथ पठित आयकर नियमावली-1962 के नियम 2 ग क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जोधपुर एतद्वारा "गुरु हरकृष्ण पब्लिक स्कूल समिति, तीन पुली, श्रीगंगानगर" को उक्त धारा के प्रयोजनार्थ निर्धारण वर्ष 2005-06 से 2007-08 तक के लिए अनुमोदित करते हैं।

यह अनुमोदन इस शर्त के अधीन है कि संस्था आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23ग) के उपखंड (vi) सहपठित आयकर नियमावली-1962 के नियम 2ग क के प्रावधानों की निरन्तर अनुपालना करती रहेगी।

[क्रमांक : मुआआ/जो./आअ(तक.)/10(23ग)(vi)/2007-08]

विजय रंजन, मुख्य आयकर आयुक्त

Jodhpur, the 17th April, 2007

No. 3/2007-08

S.O. 1346.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2CA of the Income-tax Rules, 1962, I, the Chief Commissioner of Income-tax, Jodhpur, hereby approve "Guru Harkrishan Public School, Teen Puli, Sriganganagar (Rajasthan)" for the purpose of the said section for the assessment years 2005-06 to 2007-08.

This approval is subject to the Institute's continued compliance with the provisions of the sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with Rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/ITO(Tech.)/Ju/10(23C)(vi)/2007-08]

VIJAY RANJAN, Chief Commissioner of Income-tax

जोधपुर, 17 अप्रैल, 2007

सं. 4/2007-08

का.आ. 1347.—आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खंड (23ग) के उपखंड (vi) के साथ पठित आयकर नियमावली, 1962 के नियम 2ग क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जोधपुर एतद्वारा "जैन विश्वभारती संस्थान, लाडनू, जिला नागौर (राजस्थान)" को उक्त धारा के प्रयोजनार्थ निर्धारण वर्ष 2002-03 से 2004-05 तक के लिए अनुमोदित करते हैं।

यह अनुमोदन इस शर्त के अधीन है कि संस्था आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23ग) के उपखंड (vi) सहपठित आयकर नियमावली, 1962 के नियम 2ग क के प्रावधानों

की निरन्तर अनुपालना करती रहेगी।

[क्रमांक : मुआआ/जो./आअ(तक.)/10(23ग)(vi)/2007-08]

विजय रंजन, मुख्य आयकर आयुक्त

Jodhpur, the 17th April, 2007

No. 4/2007-08

S.O. 1347.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2CA of the Income-tax Rules, 1962, I, the Chief Commissioner of Income-tax, Jodhpur, hereby approve "Jain Vishva Bharati Institute, Ladnun, District Nagaur (Rajasthan)" for the purpose of the said section for the assessment years 2002-03 to 2004-05.

This approval is subject to the Institute's continued compliance with the provisions of the sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with Rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/ITO(Tech.)/Ju/10(23C)(vi)/2007-08]

VIJAY RANJAN, Chief Commissioner of Income-tax

जोधपुर, 17 अप्रैल, 2007

सं. 5/2007-08

का.आ. 1348.—आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खंड (23ग) के उपखंड (vi) के साथ पठित आयकर नियमावली, 1962 के नियम 2ग क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जोधपुर एतद्वारा "जैन विश्वभारती संस्थान, लाडनू, जिला नागौर (राजस्थान)" को उक्त धारा के प्रयोजनार्थ निर्धारण वर्ष 2005-06 से 2007-08 तक के लिए अनुमोदित करते हैं।

यह अनुमोदन इस शर्त के अधीन है कि संस्था आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23ग) के उपखंड (vi) सहपठित आयकर नियमावली, 1962 के नियम 2ग क के प्रावधानों की निरन्तर अनुपालना करती रहेगी।

[क्रमांक : मुआआ/जो./आअ(तक.)/10(23ग)(vi)/2007-08]

विजय रंजन, मुख्य आयकर आयुक्त

Jodhpur, the 17th April, 2007

No. 5/2007-08

S.O. 1348.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2CA of the Income-tax Rules, 1962, I, the Chief Commissioner of Income-tax, Jodhpur, hereby approve "Jain Vishva Bharati Institute, Ladnun, District Nagaur (Rajasthan)" for the purpose of the said section for the assessment years 2005-06 to 2007-08.

This approval is subject to the Institute's continued compliance with the provisions of the sub-clause (vi) of

clause (23C) of Section 10 of the Income-tax Act, 1961 read with Rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/ITO(Tech.)/Ju./10(23C)(vi)/2007-08]

VIJAY RANJAN, Chief Commissioner of Income-tax

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 1 मई, 2007

का.आ. 1349.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 के उपखंड (2) (क) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री मिलिन्द नारायणराव नाडकर्णी, विशेष सहायक, बैंक ऑफ बड़ौदा, मुम्बई मुख्य कार्यालय, मुम्बई को बैंक ऑफ बड़ौदा के निदेशक बोर्ड में कर्मकार कर्मचारी निदेशक के रूप में नियुक्त करती है। वे नियुक्ति की तारीख से तीन वर्ष की अवधि के लिए और उसके बाद विधिवत् रूप से उनके उत्तराधिकारी की नियुक्ति तक या उनके बैंक आफ बड़ौदा के कर्मकार कर्मचारी बने रहने तक या अगले आदेश तक, जो भी पहले हो, इस पद पर बने रहेंगे बशर्ते वे लगातार छः वर्ष से अधिक अवधि के लिए इस पद पर नहीं रहेंगे।

[फा. सं. 15/10/2006-आईआर]

एम. के. मल्होत्रा, अवर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(BANKING DIVISION)

New Delhi, the 1st May, 2007

S.O. 1349.—In exercise of the powers conferred by clause (e) of the Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with Sub-clause (2)(a) of clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri Milind Narayanrao Nadkarni, Special Assistant, Bank of Baroda, Mumbai Main Office, Mumbai as Workmen Employee Director on the Board of Directors of Bank of Baroda for a period of three years from the date of his appointment or until his successor is duly appointed or till he ceases to be a workmen employee of Bank of Baroda or until further orders, whichever is the earliest, provided that he shall not hold office continuously for a period exceeding six years.

[F. No. 15/10/2006-IR]

M. K. MALHOTRA, Under Secy.

नई दिल्ली, 1 मई, 2007

का.आ. 1350.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारत के राजपत्र, असाधारण के भाग II, खण्ड 3, उपखण्ड (ii) में भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 28 दिसम्बर, 1981 के सं. का.आ. 921 (अ.) के तहत प्रकाशित अधिसूचना में निम्नलिखित संशोधन करती है, नामतः—

उपर्युक्त अधिसूचना में “का बैंक नॉगकिंडोंग रि खासी जैतिया के नाम से” शब्दों के स्थान पर “मेघालय ग्रामीण बैंक के नाम से” शब्द प्रतिस्थापित किए जाएंगे।

[फा.सं. 7/20/2006-आरआरबी (i)]

एम. के. मल्होत्रा, अवर सचिव

टिप्पणी:— मूल अधिसूचना दिनांक 28 दिसम्बर, 1981 को भारत के राजपत्र, असाधारण के भाग-II, खंड 3, उपखंड (ii) में सं. का. आ. 921 (अ.) के तहत प्रकाशित की गई थी।

New Delhi, the 1st May, 2007

S.O. 1350.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance, Department of Economic Affairs (Banking Division) number S.O. 921(E) dated the 28th December, 1981 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), namely:—

In the said notification for the words “under the name of Ka Bank Nongkyndong Ri Khasi Jaintia”, the words “under the name of Meghalaya Rural Bank” shall be substituted.

[F. No. 7/20/2006-RRB (i)]

M.K. MALHOTRA, Under Secy.

Foot Note: The principal notification was published vide number S.O. 921 (E) dated the 28th December, 1981 in the Gazette of India, Extraordinary, Part II, section 3 Sub-section (ii).

नई दिल्ली, 1 मई, 2007

का.आ. 1351.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारत के राजपत्र, असाधारण के भाग II, खण्ड 3, उपखण्ड (ii) में भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 28 दिसम्बर, 1981 के का.आ.सं. 921 (अ.) के तहत प्रकाशित अधिसूचना में निम्नलिखित संशोधन करती है, नामतः—

उपर्युक्त अधिसूचना में “पूर्वी एवं पश्चिमी खासी हिल्स के और जैतिया हिल्स के जिलों की स्थानीय सीमा के भीतर” शब्दों के स्थान पर “पूर्वी एवं पश्चिमी खासी हिल्स, जैतिया हिल्स और

दक्षिणी, पूर्वी तथा पश्चिमी गारो हिल्स के जिलों की स्थानीय सीमा के भीतर" शब्द प्रतिस्थापित किए जाएंगे।

[फा. सं. 7/20/2006-आरआरबी (ii)]

एम. के. मल्होत्रा, अवर सचिव

टिप्पणी:— मूल अधिसूचना दिनांक 28 दिसम्बर, 1981 को भारत के राजपत्र, असाधारण के भाग-II, खंड 3, उपखंड (ii) में सं. का.आ. 921 (अ.) के तहत प्रकाशित की गई थी।

New Delhi, the 1st May, 2007

S.O. 1351.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance, Department of Economic Affairs (Banking Division) number S.O. 921(E) dated the 28th December, 1981 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), namely:—

In the said notification for the words "within the local limits of the districts of East and West Khasi Hills, and Jaintia Hills", the words "within the local limits of the district of East and West Khasi Hills; Jaintia Hills and South, East and West Garo Hills" shall be substituted.

[F.No. 7/20/2006-RRB (ii)]

M.K. MALHOTRA, Under Secy.

Foot Note: The principal notification was published vide number S.O. 921 (E) dated the 28th December, 1981 in the Gazette of India, Extraordinary, Part II, Section 3 Sub-section (ii).

नई दिल्ली, 3 मई, 2007

का.आ. 1352.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 (1981 का 61) की धारा 6 की उपधारा (1) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा 28-5-2007 से तीन वर्ष की अवधि के लिए निम्नलिखित व्यक्तियों को राष्ट्रीय कृषि और ग्रामीण विकास बैंक के निदेशक मंडल में निदेशकों के रूप में नामित करती है:

1. प्रधान सचिव (कृषि)

कृषि उत्पादन आयुक्त,

हरियाणा सरकार,

चण्डीगढ़।

2. प्रधान सचिव (कृषि)/

कृषि उत्पादन आयुक्त,

मणिपुर सरकार, इम्फाल।

[फा. सं. 7/4/2004-बी.ओ. I.]

जी. बी. सिंह, उप सचिव

New Delhi, the 3rd May, 2007

S.O. 1352.—In exercise of the powers conferred by clause (e) of Sub-section (1) of Section 6 of the National Bank for Agriculture and Rural Development Act, 1981 (61

of 1981), the Central Government hereby appoints the following persons to be the directors on the board of directors of National Bank for Agriculture and Rural Development (NABARD) for a period of three years with effect from 28-5-2007:—

1. Principal Secretary (Agriculture)/
Agricultural Production Commissioner,
Government of Haryana,
Chandigarh.

2. Principal Secretary (Agriculture)/
Agricultural Production Commissioner,
Government of Manipur,
Imphal.

[F.No. 7/4/2004-B.O.I.]

G. B. SINGH, Dy. Secy.

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 12 अप्रैल, 2007

का.आ. 1353.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है; अर्थात्

2. दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में राजीव गांधी यूनिवर्सिटी आफ हेल्थ साइंसेज, बंगलौर के संबंध में उक्त अनुसूची की क्रम संख्या 49 के सामने आर. वी. डेंटल कॉलेज, बंगलौर के बारे में मौजूदा प्रविष्टियों को निम्नलिखित प्रविष्टियों द्वारा प्रतिस्थापित किया जाएगा:—

49. आर. वी. डेंटल कॉलेज, बंगलौर बीडीएस
(28-3-2007 से डी. ए. पांडु राजीव गांधी यूनिवर्सिटी
मेमोरियल आर. वी. डेंटल कॉलेज, आफ हेल्थ साइंसेज,
बंगलौर के रूप में जाना जाने वाला) बंगलौर

बैचलर आफ डेंटल सर्जरी

(यदि 31-12-2001 को अथवा

उसके बाद प्रदान की गई हो)

[फा. सं. बी-12018/30/2001-पी एम एस/डी ई]

राज सिंह, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 12th April, 2007

S.O. 1353.—In exercise of the powers conferred by Sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in part-I of the Schedule to the said Act, namely:—

2. In part-I of the Schedule to the Dentists Act, 1948 (16 of 1948), against Sl. No. 49 of the said Schedule pertaining to Rajiv Gandhi University of Health Sciences, Bangalore, the existing entries thereunder relating to R.V. Dental College, Bangalore, shall be substituted by the following entries :

49. R.V. Dental College, Banaglore	BDS
(To be known as 'D.A. Pandu Memorial R.V. Dental College'	Rajiv Gandhi University of Health Sciences, Bangalore,
Bangalore, w.e.f. 28-3-2007)	
Bachelor of Dental Surgery	
(when granted on or after	
31-12-2001)	

[No. V-12018/30/2001-PMS/DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 12 अप्रैल, 2007

क्र.आ. 1354.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्द्वारा निम्नलिखित संशोधन करती है: अर्थात्

2. दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में बंगलौर यूनिवर्सिटी, बंगलौर के संबंध में उक्त अनुसूची की क्रम संख्या 17 के सामने आर.वी.डेंटल कॉलेज, बंगलौर के बारे में मौजूदा प्रविष्टियों को निम्नलिखित प्रविष्टियों द्वारा प्रतिस्थापित किया जाएगा:—

17. आर.वी.डेंटल कॉलेज, बंगलौर	बीडीएस
(28-3-2007 से डी.ए. पांडु मेमोरियल आर.वी.डेंटल कॉलेज, बंगलौर के रूप में जाना जाने वाला)	बंगलौर यूनिवर्सिटी, बंगलौर
बैचलर आफ डेंटल सर्जरी	
(यदि 24-9-1996 को अथवा उसके बाद प्रदान की गई हो)	

[सं. वी-12018/30/2001-पी एम एस/डी ई]

राज सिंह, अवर सचिव

New Delhi, the 12th April, 2007

S.O. 1354.—In exercise of the powers conferred by Sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in part-I of the Schedule to the said Act, namely:—

2. In part-I of the Schedule to the Dentists Act, 1948 (16 of 1948), against Sl. No. 17 of the said Schedule pertaining to Bangalore University, Bangalore, the existing

entries thereunder relating to R.V. Dental College, Bangalore, shall be substituted by the following entries.

17. R.V. Dental College, Banaglore	BDS
(To be known as 'D.A. Pandu Memorial R.V. Dental College'	Bangalore University, Bangalore.
Bangalore, w.e.f. 28-3-2007)	
Bachelor of Dental Surgery	
(when granted on or after	
24-9-1996)	

[No. V-12018/30/2001-PMS/DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1355.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्द्वारा निम्नलिखित संशोधन करती है: अर्थात्

2. दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में नागपुर, विश्वविद्यालय, नागपुर, महाराष्ट्र के संबंध में उक्त अनुसूची की क्रम सं. 21 के सामने मौजूदा प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी:—

"शरद पवार डेंटल कॉलेज एवं अस्पताल सवांगी (मेघ), वर्धा, महाराष्ट्र	
दन्त शल्य चिकित्सा में मास्टर, पेरियोडॉन्टिक्स	एम डी एस (पेरियोडॉन्टिक्स)
(यदि 13-12-2005 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र
प्रास्थोडॉन्टिक्स	एम डी एस (प्रास्थोडॉन्टिक्स)
(यदि 22-12-2005 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र
आर्थोडॉन्टिक्स	एम डी एस (आर्थोडॉन्टिक्स)
(यदि 28-12-2005 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र
ओरल सर्जरी	एम डी एस. (ओरल सर्जरी)
(यदि 28-11-2006 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र
ओरल मेडिसिन	एमडीएस (ओरल मेडिसिन)
(यदि 2-12-2006 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र
ओरल पैथोलॉजी	एमडीएस (ओरल पैथोलॉजी)
(यदि 12-12-2006 को अथवा उसके बाद प्रदान की गई हो)	नागपुर विश्वविद्यालय, नागपुर, महाराष्ट्र

कंजरवेटिव डेंटिस्ट्री
(यदि 6-12-2006 को अथवा
उसके बाद प्रदान की गई हो)

एम डी एस (कंजरवेटिव
डेंटिस्ट्री) नागपुर,
विश्वविद्यालय, नागपुर
महाराष्ट्र

[सं. बी-12017/24/2001-पी एम एस/डी ई]
राज सिंह, अवर सचिव

New Delhi, the 16th April, 2007

S.O. 1355.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in part-I of the Schedule to the said Act, namely:—

2. In part-I of the Schedule to the Dentists Act, 1948 (16 of 1948), against Sl. No. 21 of the said Schedule pertaining to Nagpur University, Nagpur, Maharashtra, under the existing entries thereunder, the following entries shall be inserted:

“Sharad Pawar Dental College
& Hospital, Swangi (Meghe),
Wardha, Maharashtra

Master of Dental Surgery:

Periodontics (If granted on or after 13-12-2005)	MDS (Periodontics) Nagpur University, Nagpur, Maharashtra
Prosthodontics (If granted on or after 22-12-2005)	MDS (Prosthodontics) Nagpur University, Nagpur, Maharashtra
Orthodontics (If granted on or after 28-12-2005)	MDS (Orthodontics) Nagpur University, Nagpur, Maharashtra
Oral Sugery (If granted on or after 28-11-2006)	MDS (Oral Sugery) Nagpur University, Nagpur, Maharashtra
Oral Medicine (If granted on or after 2-12-2006)	MDS (Oral Medicine) Nagpur University, Nagpur, Maharashtra
Oral Pathology (If granted on or after 12-12-2006)	MDS (Oral Pathology) Nagpur University, Nagpur, Maharashtra
Conservative Dentistry (If granted on or after 6-12-2006)	MDS (Conservative Dentistry) Nagpur University, Nagpur, Maharashtra”

[No. V-12017/24/2001-PMS/DE]
RAJ SINGH, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1356.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है; अर्थात्:—

2. राजीव गांधी यूनिवर्सिटी आफ हेल्थ साइंसेज, बंगलौर के संबंध में दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I क्रम सं. 49 के सामने स्तंभ 2 तथा 3 की मौजूदा प्रविष्टियों में ए.जे. इन्स्टीट्यूट ऑफ डेंटल साइंसेज, बंगलौर के बारे में निम्नलिखित प्रविष्टियां रखी जाएंगी:—

“XXXIX ए.जे. इन्स्टीट्यूट ऑफ डेंटल साइंसेज, बंगलौर

- (i) बैचलर आफ डेंटल सर्जरी राजीव गांधी यूनिवर्सिटी
(यदि 13-9-2006 को अथवा आफ हेल्थ साइंसेज,
उसके बाद प्रदान की गई हो) बंगलौर।”

[सं. बी-12017/30/2001-पी एम एस (डी ई)]
राज सिंह, अवर सचिव

New Delhi, the 16th April, 2007

S.O. 1356.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 49, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Rajiv Gandhi University of Health Sciences (RGUOHS), Bangalore, the following entries in respect of A.J. Institute of Dental Sciences, Mangalore shall be inserted thereunder:—

“XXXIX A.J. Institute of Dental Sciences, Mangalore

- (i) Bachelor of Dental Surgery BDS, Rajiv Gandhi
(when granted on or after University of Health
13-9-2006) Sciences, Bangalore.”

[No. V-12017/30/2001-PMS(DE)]

RAJ SINGH, Under Secy.

नई दिल्ली, 18 अप्रैल, 2007

का.आ. 1357.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है; अर्थात्:—

2. चौधरी चरण सिंह विश्वविद्यालय, मेरठ, उत्तर प्रदेश द्वारा हरशरण दास डेंटल कालेज, गाजियाबाद, उत्तर प्रदेश के संबंध में दन्त चिकित्सक अर्हता को मान्यता देने से संबंधित दन्त चिकित्सक

अधिनियम 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम सं. 56 के सामने स्तंभ 2 तथा 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियाँ रखी जाएंगी:-

" III हरशरण दास डेंटल कालेज, गाजियाबाद, उत्तर प्रदेश

(i) बैचलर आफ डेंटल सर्जरी बी डी एस
(जब 12-5-2006 को अथवा चौधरी चरण सिंह
उसके बाद प्रदान की गई हो) विश्वविद्यालय, मेरठ "

[सं. वी-12017/46/2000-पी एम एस]

राज सिंह, अवर सचिव

New Delhi, the 18th April, 2007

S.O. 1357.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against Serial No. 56, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental qualification in respect of Harsaran Dass Dental College, Ghaziabad, Uttar Pradesh awarded by Chaudhary Charan Singh University, Meerut, Uttar Pradesh, the following entries shall be inserted thereunder:—

"III Harsaran Dass Dental College, Ghaziabad, Uttar Pradesh

(i) Bachelor of Dental Surgery BDS, Ch. Charan
(when granted on or after Singh University
12-5-2006) Meerut "

[No. V-12017/46/2000-PMS]

RAJ SINGH, Under Secy.

नई दिल्ली, 18 अप्रैल, 2007

का.आ. 1358.—केन्द्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है; अर्थात्

2. डा. एम.जी.आर. मेडिकल यूनिवर्सिटी, तमिलनाडु, चेन्नई के संबंध में दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I क्रम सं. 34 के सामने स्तंभ 2 तथा 3 की मौजूदा प्रविष्टियों में रागस डेंटल कालेज, चेन्नई के बारे में निम्नलिखित प्रविष्टियाँ रखी जाएंगी:-

(IV) रागस डेंटल कालेज, चेन्नई- एमडीएस (ओरल
"ओरल मेडिसिन और मेडिसिन और
रेडियोलॉजी रेडियोलॉजी)
(यदि 18-10-2006 को अथवा द टी.एन.डॉ. एम.जी.आर.
उसके बाद प्रदान की गई हो) मेडिकल यूनिवर्सिटी,
चेन्नई) "

[सं. वी-12017/4/2003-पी एम एस/डी ई]

राज सिंह, अवर सचिव

New Delhi, the 18th April, 2007

S.O. 1358.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against Serial No. 34, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Dr. M.G.R. Medical University, Tamil Nadu, Chennai, the following entries in respect of Ragas Dental College, Chennai shall be inserted thereunder:—

(IV) Ragas Dental College, Chennai

"Oral Medicine & Radiology MDS (Oral Med. &
(when granted on or after Radiology) The T.N.
18-10-2006) Dr. M.G.R., Medical
Univ., Chennai"

[No. V-12017/4/2003-PMS/DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1359.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) (क) के उपबंध के अनुसरण में डा. मुजफ्फर अहमद को जम्मू व कश्मीर सरकार द्वारा नामांकित किए जाने पर 4-12-2003 भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में नियुक्त किया गया था।

डा. मुजफ्फर अहमद द्वारा भारतीय आयुर्विज्ञान परिषद् के सदस्य के पद से अपना त्याग पत्र दे दिए जाने के परिणामस्वरूप वे अब भारतीय आयुर्विज्ञान परिषद् में जम्मू व कश्मीर का प्रतिनिधित्व करने वाले सदस्य नहीं रहेंगे।

अतः अब, अधिनियम की धारा 7 की उपधारा (3) के उपबंध के अनुसरण में डा. मुजफ्फर अहमद 16-4-2007 से परिषद् में अपनी सीट खाली कर देंगे।

[सं. वी-11013/7/2006-एमई (नीति-1)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 16th April, 2007

S.O. 1359.—Whereas in pursuance of the provision of sub-section (1)(a) of Section 3 of the Indian Medical Act, 1956 (102 of 1956) Dr. Muzaffar Ahmad was appointed as a member of the Medical Council of India on his nomination by the Government of Jammu and Kashmir with effect from 4-12-2003.

Consequent upon his resignation from the post of Member, MCI, Dr. Muzaffar Ahmad has ceased to be a member of Medical Council of India representing Government of Jammu & Kashmir.

Now, therefore, in pursuance of the provision of sub-section (3) of Section 7 of said Act, Dr. Muzaffar Ahmad shall vacate his seat in the Council with effect from 16-4-2007.

[No. V-11013/7/2006-ME (Policy-I)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1360.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खंड (ग) के अनुसरण में केंद्र सरकार ने जम्मू और कश्मीर के पंजीकृत चिकित्सा स्नातक निर्वाचन क्षेत्र में निर्वाचन करवाया है जहां से डा. मुज़फ़्फ़र अहमद पुत्र स्वर्गीय कुदरतुल्ला निवासी जकुरा, श्रीनगर को इस अधिसूचना के जारी होने की तारीख से भारतीय आयुर्विज्ञान परिषद के एक सदस्य के रूप में निर्वाचन किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबंध के अनुसरण में केंद्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है अर्थात् :-

उक्त अधिनियम में "धारा 3 की उपधारा (1) के खण्ड (ग) के अधीन निर्वाचित" शीर्षक के अंतर्गत क्रम संख्या 16 के बाद निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात् :-

"17 डा. मुज़फ़्फ़र अहमद,
पुत्र स्वर्गीय कुदरतुल्ला
निवासी जकुरा, श्रीनगर"

[सं. वी-11013/7/2006-एमई (नीति-I)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 16th April, 2007

S.O. 1360.—Whereas the Central Government in pursuance of clause (c) of sub-section (1) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) has conducted the election from the Registered Medical Graduate Constituency of Jammu & Kashmir where from Dr. Muzaffar Ahmad S/o Late Qudratullah, R/o Zakura, Srinagar has been elected to be a member of the Medical Council of India with effect from the date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the then Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :-

In the said notification, under the heading, 'Elected under clause (c) of sub-section (1) of Section 3, after serial No. 16, the following entries shall be added, namely :-

"17. Dr. Muzaffar Ahmad
S/o Late Qudratullah
R/o Zakura
Srinagar"

[No. V-11013/7/2006-ME (Policy-I)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1361.—केंद्रीय सरकार दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा पदत शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय के संबंध में दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I क्रम सं. 49 के सामने स्तंभ 2 तथा 3 की मौजूदा प्रविष्टियों में बी.एस. डेंटल कालेज एवं अस्पताल, बंगलौर के बारे में निम्नलिखित प्रविष्टियां रखी जाएंगी :-

XXII. बी.एस. डेंटल कालेज एवं अस्पताल, बंगलौर

- | | |
|--|---|
| "(v) ओरल मेडिसिन एवं रेडियोलॉजी
(यदि 10-10-2006 को अथवा उसके बाद प्रदान की गई हो) | एम डी एस (ओरल मेडिसिन एवं रेडियोलॉजी)
राजीव गांधी स्वास्थ्य विज्ञान विश्व-विद्यालय, बंगलौर |
| (vi) पेरियोडॉन्टिक्स
(यदि 7-10-2006 को अथवा उसके बाद प्रदान की गई हो) | एम डी एस (पेरियोडॉन्टिक्स)
राजीव गांधी स्वास्थ्य विज्ञान विश्व-विद्यालय, बंगलौर |
| (vii) प्रोस्थोडॉन्टिक्स
(यदि 10-10-2006 को अथवा उसके बाद प्रदान की गई हो) | एम डी एस (प्रोस्थोडॉन्टिक्स)
राजीव गांधी स्वास्थ्य विज्ञान विश्व-विद्यालय, बंगलौर |
| (viii) कम्युनिटी डेंटिस्ट्री
(यदि 14-10-2006 को अथवा उसके बाद प्रदान की गई हो) | एम डी एस (कम्युनिटी डेंटिस्ट्री)
राजीव गांधी स्वास्थ्य विज्ञान विश्व-विद्यालय, बंगलौर" |

[सं. वी. 12017/45/2001-पी एम एस/डी ई]

राज सिंह, अवर सचिव

New Delhi, the 25th April, 2007

S.O. 1361.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely :-

2. In the existing entries of column 2 & 3 against Serial No. 49, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to, Rajiv Gandhi University of Health Sciences (RGUOHS, Bangalore, the following entries in respect of V.S. Dental College and Hospital, Bangalore shall be inserted thereunder :—

XXII. V.S. Dental College and Hospital, Bangalore

(v) Oral Medicine and Radiology	MDS (Oral Med. and Radiology)
(When granted on or after 10-10-2006)	Rajiv Gandhi University of Health Sciences, Bangalore
(vi) Periodontics	MDS (Periodontics)
(When granted on or after 7-10-2006)	Rajiv Gandhi University of Health Sciences, Bangalore
(vii) Prosthodontics	MDS (Prosthodontics)
(When granted on or after 10-10-2006)	Rajiv Gandhi University of Health Sciences, Bangalore
(viii) Community Dentistry	MDS (Community Dentistry)
(When granted on or after 14-10-2006)	Rajiv Gandhi University of Health Sciences, Bangalore

[No. V-12017/45/2001-PMS/DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 26 अप्रैल, 2007

का.आ. 1362.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में स्वास्थ्य और परिवार कल्याण मंत्रालय के अन्तर्गत आने वाले निम्नलिखित कार्यालयों को जिसके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. राष्ट्रीय कॉलरा और आंत्र रोग संस्थान, पी-33, सी आई टी रोड स्कीम योजना एक्स एम, बेलियाघाट, कोलकाता-700010.
2. राष्ट्रीय प्रजनन स्वास्थ्य अनुसंधान संस्थान, जहांगीर मेरवांजी स्ट्रीट, पारेल, मुंबई-400012.
3. विकृति विज्ञान संस्थान, सफदरजंग अस्पताल परिसर, नई दिल्ली-110029.
4. राष्ट्रीय व्यावसायिक स्वास्थ्य संस्थान, पोस्ट बॉक्स-2031, मेघानी नगर, अहमदाबाद-380016.
5. कौशिकी एवं निवारक अर्बुदशास्त्र संस्थान, रिसर्च व क्लीनिकल कॉम्प्लेक्स, डिग्री कालेज के पास, 1-7, सै.-39, सिटी सेंटर के सामने, नोएडा-201301.

[सं. ई.-11012/1/94-रा.भा.का. (हिंदी-I)]

जे. पी. एस. चावला, मुख्य लेखा नियंत्रक

New Delhi, the 26th April, 2007

S.O. 1362.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use of official purposes of Union) Rules, 1976, the Central Government hereby notifies the following offices under the Ministry of Health and Family Welfare, whereof 80 per cent staff have acquired working knowledge of Hindi :—

1. National Institute of Cholera & Enteric Disease P-33, CIT Road Scheme XM, Beliaghata, Kolkata-700010.
2. National Institute for Research in Reproductive Health, Jehangir Merwanji Street, Parel, Mumbai-400012.
3. Institute of Pathology, Safdarjung Hospital Campus, New Delhi-110029.
4. National Institute of Occupational Health, Post Box-2301, Meghani Nagar, Ahmedabad-380016.
5. Institute of Cytology and Preventive Oncology, Research-cum-Clinical Complex, Plot No. 17, Sector-39, Near Degree College, Opposite City Centre, NOIDA-201301 (U.P.)

[No. E-11012/1/94-O.L.I. (Hindi-I)]

J.P.S. CHAWLA, Chief Controller of Accounts

संचार और सूचना प्रौद्योगिकी मंत्रालय

(दूरसंचार विभाग)

(राजभाषा अनुभाग)

नई दिल्ली, 30 अप्रैल, 2007

का.आ. 1362.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित 1987) के नियम 10 (4) के अनुसरण में संचार और सूचना प्रौद्योगिकी मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों को जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है :—

महाप्रबंधक दूरसंचार जिला, भा.सं.नि.लि., अम्बाला

1. मंडल अभियंता (आंतरिक), अम्बाला शहर
2. उप मंडल अभियंता, (केन्द्रीय तारघर), अम्बाला
3. मंडल अभियंता (अनुरक्षण), अम्बाला शहर
4. उप मंडल अभियंता, ग्रामीण नरायणगढ़ (समूह)
5. उप मंडल अभियंता (समूह), बरवाला
6. उप मंडल अभियंता (समूह), बराडा
7. उप मंडल अभियंता (तार), अम्बाला

8. उप मंडल अभियंता (समूह), छछरौली
9. उप मंडल अभियंता, (समूह), सढोरा
10. उप महाप्रबंधक (अनुरक्षण), यमुनानगर
11. उप मंडल अभियंता (ग्रामीण), जगाधरी
12. उप मंडल अभियंता (ग्रामीण), रादौर

महाप्रबंधक दूरसंचार जिला, भा.सं.वि.लि., गुडगाँव

1. मंडल अभियंता (ग्रामीण) दूरसंचार, दूरभाष केन्द्र, नूँह (गुडगाँव)
2. मंडल अभियंता (ग्रामीण) दूरसंचार, दूरभाष केन्द्र, फिरोजपुर झिरका (गुडगाँव)

महाप्रबंधक दूरसंचार जिला, भा. सं.वि.लि., रोहतक

मंडल अभियंता दूरसंचार, भिवानी

[सं. ई.-11016/1/2007-रा.भा.]

कीर्ती कुमार, उप महानिदेशक (समन्वय एवं प्रशासन)

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

(Department of Telecommunications)

(OFFICIAL LANGUAGE SECTION)

New Delhi, the 30th April, 2007

S.O. 1363.—In pursuance of Rule 10 (4) of the Official Language (Use for official purposes of the Union) Rules, 1976 (as amended-1987), the Central Government hereby notifies the following Offices under the administrative control of the Ministry of Communications and Information Technology, Department of Telecommunications where more than 80% of staff have acquired working knowledge of Hindi :—

General Manager Telecom. District, B.S.N.L., Ambala

1. Divisional Engineer (Internal), Ambala City
2. Sub Divisional Engineer (Central Telegraph Office), Ambala
3. Divisional Engineer (Maintenance), Ambala City
4. Sub Divisional Engineer (Rural), Narayangarh (Group)
5. Sub Divisional Engineer (Group), Barwala
6. Sub Divisional Engineer (Group), Barwada
7. Sub Divisional Engineer (Telegraph), Ambala
8. Sub Divisional Engineer (Group), Chhacharouli
9. Sub Divisional Engineer (Group), Sadora
10. Deputy General Manager (Maintenance), Yamunagar
11. Sub Divisional Engineer (Rural), Jagadhari

12. Sub Divisional Engineer (Rural), Radaur

General Manager Telecom. District, B.S.N.L., Gurgaon

1. Divisional Engineer (Rural) Telecom., Telephone Exchange, Nooh (Gurgaon)
2. Divisional Engineer (Rural) Telecom., Telephone Exchange, Forzpur Jhirka (Gurgaon)

General Manager Telecom. District, B.S.N.L., Rohtak

Divisional Engineer Telecom, Bhivani

[No. E-11016/1/2007-O.L.]

KIRTHY KUMAR, Dy. Director General
(Coordination & Administration)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय
(खाद्य और सार्वजनिक वितरण विभाग)

नई दिल्ली, 25 अप्रैल, 2007

क्र.आ. 1364.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय (खाद्य और सार्वजनिक वितरण विभाग) के प्रशासनिक नियंत्रणाधीन भारतीय खाद्य निगम के निम्नलिखित कार्यालय, जिनके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करता है :—

- | | |
|--|---|
| 1. जिला कार्यालय,
भारतीय खाद्य निगम,
सूर्यनगर, लिंक रोड
कटक (भुवनेश्वर) | 2. जिला कार्यालय
भारतीय खाद्य निगम,
टिटिलागढ़,
भुवनेश्वर |
|--|---|

[सं. ई.-11011/1/2001-हिंदी]

संजय कुमार श्रीवास्तव, संयुक्त सचिव

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Food and Public Distribution)

New Delhi, the 25th April, 2007

S.O. 1364.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purpose of the Union) Rules, 1976, the Central Government hereby notifies the following offices of Food Corporation of India under the administrative control of the Ministry of Consumer Affairs, Food & Public Distribution (Deptt. of Food & Public Distribution), whereof more than 80% of staff have acquired the working knowledge of Hindi :—

- | | |
|--|---|
| 1. District Office,
Food Corporation of India
Surya Nagar, Link Road,
Cuttak (Bhubneswar) | 2. District Office,
Food Corporation
of India, Titilagarh.
(Bhubneshwar) |
|--|---|

[No. E-11011/1/2001-Hindi]

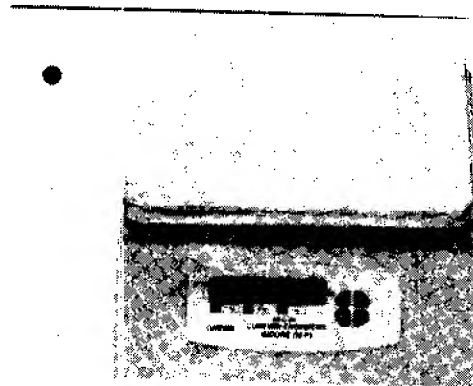
SANJAY KUMAR SRIVASTAVA, Jt. Secy.

(उपचोक्ता मापले विभाग)

नई दिल्ली, 21 फरवरी, 2007

का.आ. 1365.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स क्यूरविन इंजीनियर, सी-150, जकदावर राम नगर, इंदौर, मध्य प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले 'सी डब्ल्यू ई-01' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "क्यूरविन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/416 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। इसका सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आद्येतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(156)/2006]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

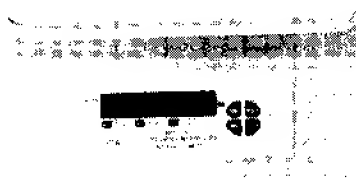
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 21st February, 2007

S.O. 1365.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table Top type) with digital indication of "CWE-01" series of high accuracy (accuracy class-II) and with brand name "CUREWIN" (herein referred to as the said model), manufactured by M/s. Curewin Engineers, C-150, Bakdavar Ram Nagar, Indore, Madhya Pradesh and which is assigned the approval mark IND/09/06/416 ;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. Before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg. or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

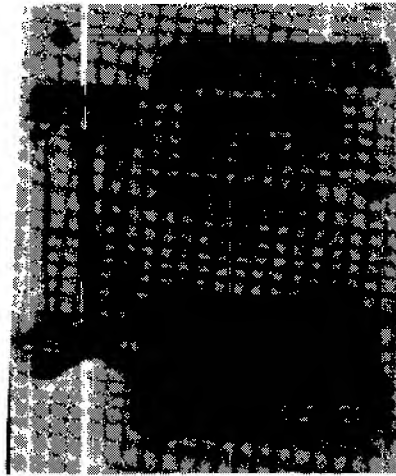
[F. No. WM-21(156)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2007

क्र.आ. 1366.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मापक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मापक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स क्यूरेविन इंजीनियर, सी-150, बकदावर राम नगर, इंदौर, मध्य प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-III) वाले "सी डब्ल्यू ई-3" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "क्यूरेविन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह्व आई एन डी/09/07/417 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;



उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को विक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

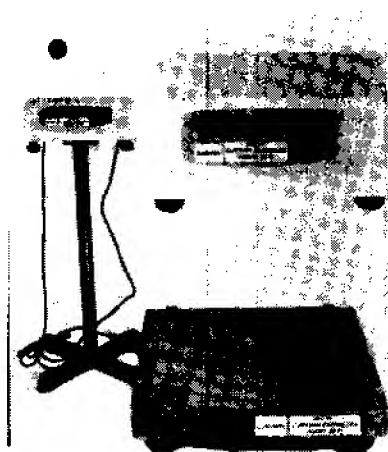
[फा. सं. डब्ल्यू एम-21(156)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2007

S.O. 1366.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication "CWE-03" series of medium accuracy (accuracy class-III) and with brand name "CUREWIN" (herein referred to as the said model), manufactured by M/s. Curewin Engineers, C-150, Bakdavar Ram Nagar, Indore, Madhya Pradesh and which is assigned the approval mark IND/09/06/417 ;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 2g. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity above 50 kg and up to 5000 kg with number of verification scale interval (n) in the range of 100 to 10000 for 'e' value of 10mg to 2g and with number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5 g or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model have been manufactured.

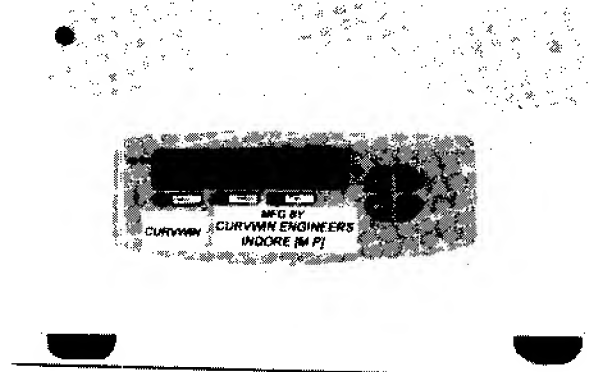
[F. No. WM-21(156)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2007

का.आ. 1367.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स क्यूरविन इंजीनियर, सी-150, बकदावर राम नगर, इंदौर, मध्य प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'सी डब्ल्यू ई-डब्ल्यू बी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेजिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "क्यूरविन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/418 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;



उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि. ग्रा. से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

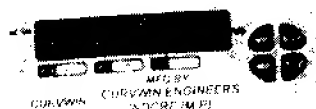
[फा. सं. डब्ल्यू एम-21(156)/2006]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2007

S.O. 1367.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Weighbridge type) with digital indication "CWE-WB" series of medium accuracy (accuracy class-III) and with brand name "CUREWIN" (herein referred to as the said model), manufactured by M/s. Curewin Engineers, C-150, Bakdavar Ram Nagar, Indore, Madhya Pradesh and which is assigned the approval mark IND/09/06/418;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 40,000 kg. and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity between 5000 kg. and up to 150 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

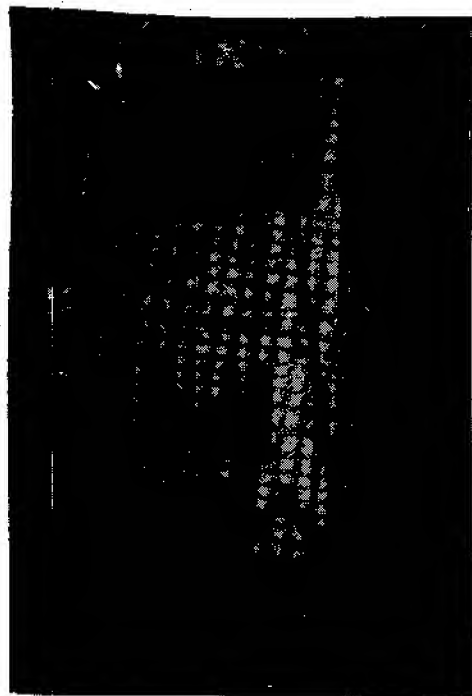
[F. No. WM-21(156)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 मार्च, 2007

का.आ. 1368.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मिडको लिमिटेड, प्लॉट नं. 39/44, स्कीम-6, रोड-2 सिओन (ई) मुम्बई-400022, महाराष्ट्र द्वारा निर्मित “एमपीडी-362/364” शृंखला के अंकक सूचन सहित वितरण पम्प के मॉडल का, जिसके ब्रांड का नाम “मिडको” है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/562 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल बहुउत्पादीय वितरण पम्प है जो द्विपिस्टन धनात्मक विस्थापन मीटर सहित अविपरीतमक योग करने वाला है। इसकी अधिकतम प्रवाह क्षमता 75 लीटर प्रति मिनट है और न्यूनतम प्रवाह क्षमता 45 लीटर प्रति मिनट है। यह धन और आयतन के लिए पूर्व सेट युक्ति है। द्रव किस्टल प्रदर्श तोलन (एलसीडी) प्रदर्श उपदर्शित करता है। इसका अधिकतम आयतन और मूल्य प्रदर्श 6 अंकों में है और लघुतम प्रदर्श 10 मि.ली. है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्यम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खेलने से रोकने के लिए सीलबन्ध भी किया जाएगा।

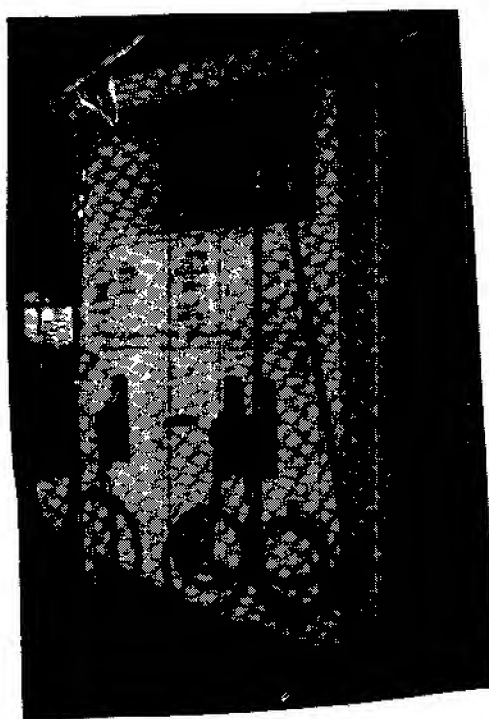
[फा. सं. डब्ल्यू एम-21(20)/2004]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th March, 2007

S.O. 1368.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Model) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Dispensing Pump with digital indication of "MPD 362/364" series with brand name "MIDCO" (herein after referred to as the said Model), manufactured by M/s. MIDCO Limited, Plot No. 39/44, Scheme-6, Road-2, Sion (E) Mumbai-400022, Maharashtra and which is assigned the approval mark IND/09/05/562 ;



The said Model is a multiproduct dispensing Pump with two piston type positive displacement meter along with non-reversible totalizer. The maximum flow rate is 75 litre per minute and minimum flow rate is 45 litre per minute. It has preset device for money and volume. The display is of liquid crystal display (LCD) type. The maximum volume and price display is in 6 digits and the smallest display is 10ml. The instrument operates on 230 Volts, 50 Hertz alternate current power supply. In addition to sealing the stamping plate, sealing is also done on the Metering unit and totalized to prevent the fraudulent practices.

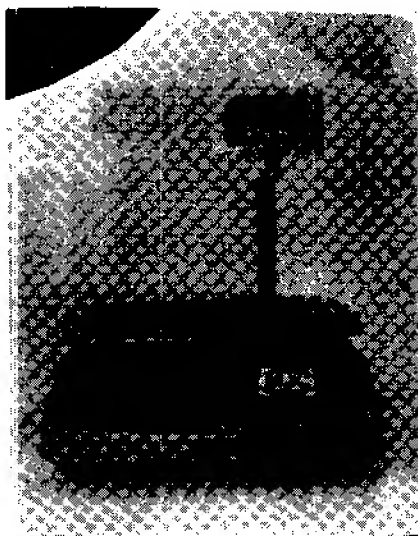
[F. No. WM-21(20)/2004]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1369.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एम के इंडस्ट्रीज, नं. 3, शिवाजी नगर सावरकुण्डला-364515 गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'एमकेटी' शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) मॉडल का, जिसके ब्रांड का नाम "एमके" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/33 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। स्ट्राम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

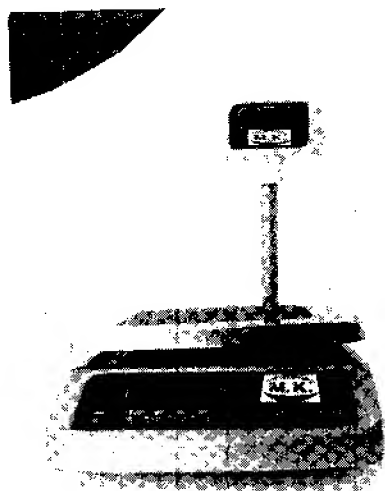
[फा. सं. डब्ल्यू एम-21(108)/2006]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1369.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of "MKT" series of medium accuracy (accuracy class-III) and with brand name "MK" (herein referred to as the said model), manufactured by M/s. M.K. Industries, No. 3, Shivaji Nagar, Savarkundla-364515, Gujarat and which is assigned the approval mark IND/09/07/33 ;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value between of 100 mg to 2 g, and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

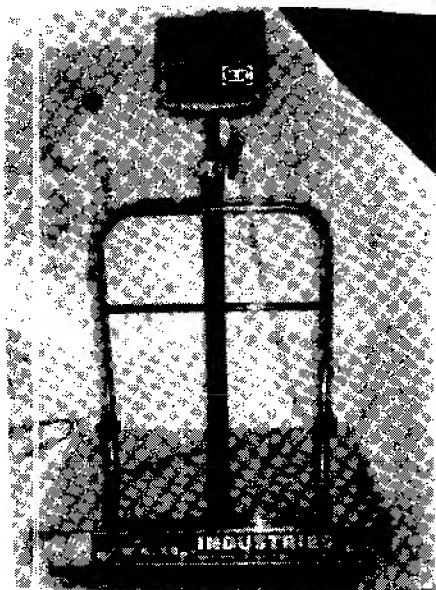
[F. No. WM-21(108)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1370.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एम के इंडस्ट्रीज, नं. 3, शिवाजी नगर, सावरकुण्डला-364515 गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम के पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एम.के." है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/34 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

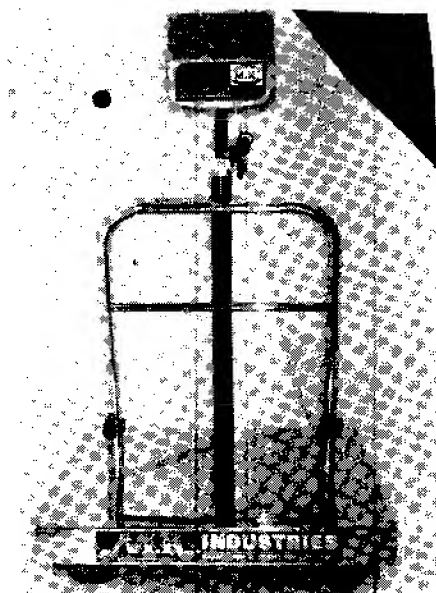
[फा. सं. डब्ल्यू एम-21(108)/2006]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1370.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Platform Type) with digital indication of "MKP" series of medium accuracy (Accuracy Class-III) and with brand name "M.K." (herein referred to as the said Model), manufactured by M/s. M.K. Industries No. 3, Shivaji Nagar, Savarkundla-364 515, Gujarat and which is assigned the approval mark IND/09/07/34;



The said Model is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity upto 5000 kg and with number of verification scale interval (n) in the range of 100 to 10000 for 'e' value between 100 mg to 2 g and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and 'e' value of the form 1×10^k , 2×10^k , or 5×10^k , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

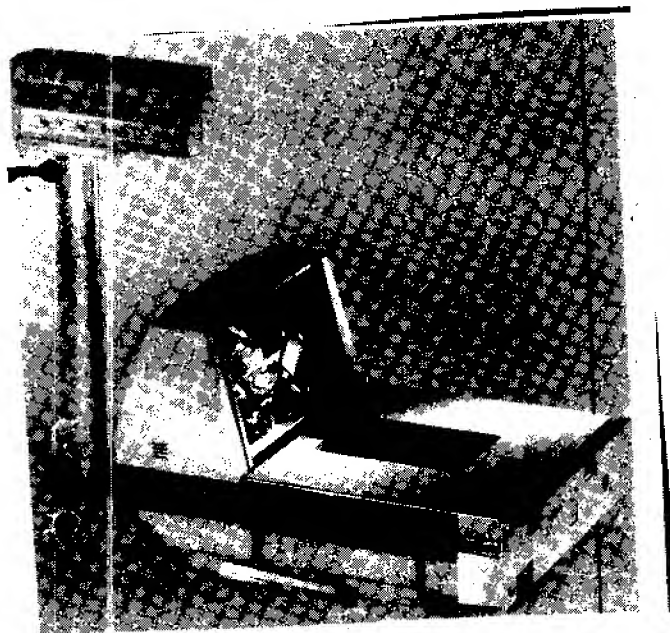
[F. No. WM-21(108)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1371.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) के परन्तुक तथा उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बिजरबा जी एम बी एच एंड कम्पनी के जी, विलहेल्म क्रौत-एस टी आर-722336-बलिगेन, जर्मनी द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी एम" शृंखला के अंकक सूचन सहित अस्वचालित मल्टी इन्टरवैल दाम तौल गणक उपकरण (इलैक्ट्रोमैकेनिकल) के मॉडल का, जिसके ब्रांड का नाम "बिजरबा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसको मैसर्स बिजरबा इंडिया प्राइवेट लि., प्लॉट नं. ई एल 100, एम आई डी सी, टी टी सी इंडस्ट्रियल एरिया, महापे, नवी मुंबई-400707 द्वारा भारत में विपणीत किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/194 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित मल्टी इन्टरवैल (इलैक्ट्रोमैकेनिकल) दाम तौल गणक उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. तक है और सत्यापन मापमान अंतराल 1 ग्रा. से 10 ग्राम तथा (एन) ≤ 6000 है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 120 से 240 वोल्ट और 50-60 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है और मॉडल को भारत में बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम कार्यकारी सिद्धांत आदि की शर्तों पर परिवर्तित या किसी अन्य प्रकार का परिवर्धन नहीं किया जाएगा।

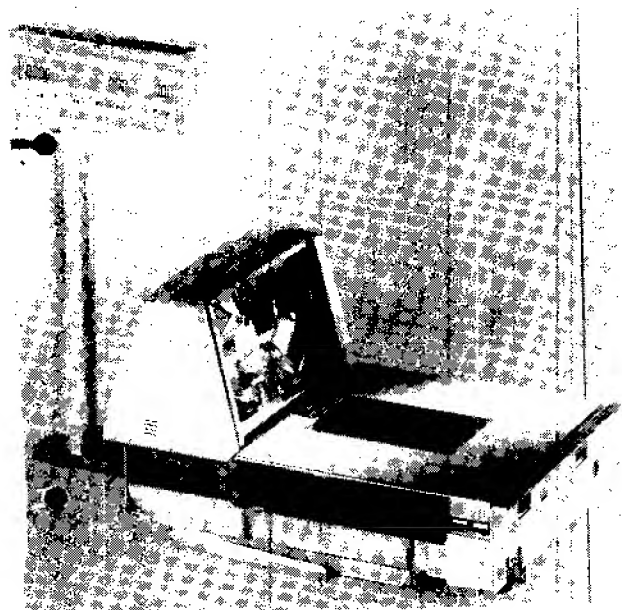
[फा. सं. डब्ल्यू एम-21(165)/2006]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1371.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority along with the Model approval certificate issued by the Physikalisch-Technische Bundesanstalt (PTB), Bundesallee 100, D-38116 Braunschweig, German is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of load cell based multi interval type non-automatic electro mechanical price computing weighing instrument for direct selling to the public with digital indication of "CS" series of medium accuracy (Accuracy Class-III) and with brand name "BIZERBA" (herein referred to as the said model), manufactured by M/s. Bizerba GmbH & Co. K.G. Wilhelm-Kraut-Str 722336-Balingen, Germany and marketed in India by M/s. Bizerba India Private Ltd. Plot No. EL 100, MIDC, TTC Industrial Area, Mahape, Navi Mumbai-400 705 and which is assigned the approval mark IND/13/07/194.



The said model is a load cell based multi interval type non-automatic electro mechanical price computing weighing instrument for direct selling to the public. It has a maximum capacity upto 30 kg for the verification scale interval 1g to 10g and number of verification scale interval (n) \leq 6000. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting Diode (LED) display indicates the weighing result. The instrument operates on 120—240Volts and 50—60 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sale in India.

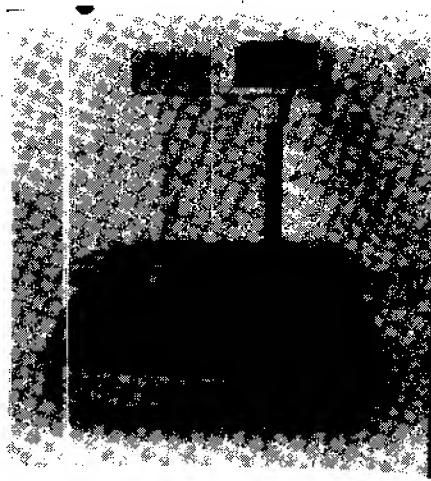
[F. No. WM-21(165)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1372.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सावरकुण्डला स्केल, शिवाजी नगर, सावरकुण्डला-364515-गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस एस टी-1" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "रायल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/81 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक निश्चित गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्राम है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्राम से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 5.00 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

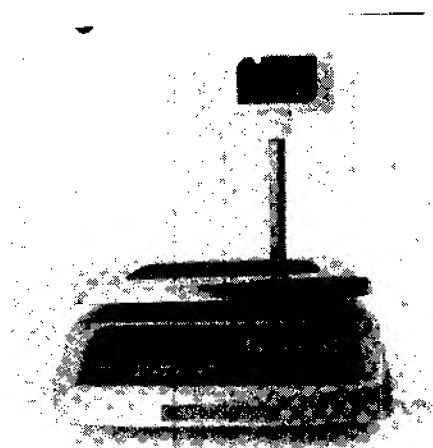
[फा. सं. डब्ल्यू एम-21(26)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1372.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top Type) with digital indication of "SST-01" series of medium accuracy (Accuracy Class-III) and with brand name "ROYAL" (herein referred to as the said Model), Manufactured by M/s. Savarkundla Scale, Shivaji Nagar, Savarkundla-364 515, Gujarat and which is assigned the approval mark IND/09/07/81;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum Capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10000 for 'e' value between 100mg to 2g and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

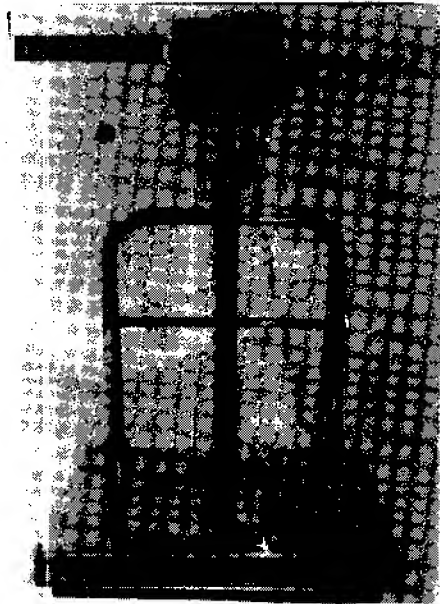
[F. No. WM-21(26)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1373.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सावरकुण्डला स्केल शिवाजी नगर, सावरकुण्डला-364515-गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस एस पी-01" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "रायल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/82 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्राम है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

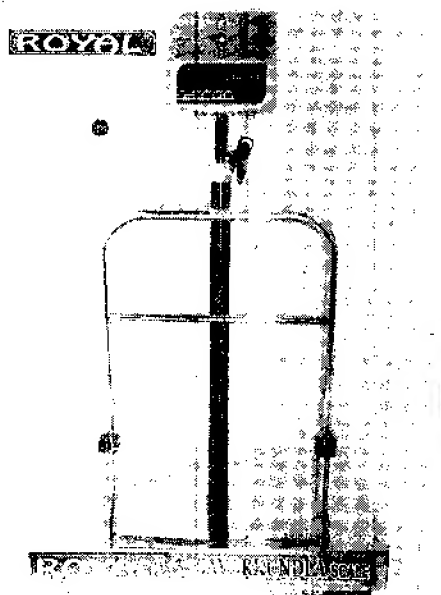
[फा. सं. डब्ल्यू एम-21(26)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1373.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform Type) with digital indication of "SSP-01" series of medium accuracy (Accuracy Class-III) and with brand name "ROYAL" (herein referred to as the said model), manufactured by M/s. Savarkundla Scale, Shivaji Nagar, Savarkundla-364 515, Gujarat and which is assigned the approval mark IND/09/07/82:



The said model is a strain gauge type and a non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum Capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing snail also be done to prevent opening of the machine for fraudulent purposes. The model shall not be altered in any material, design or circuit diagram, working principle etc.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

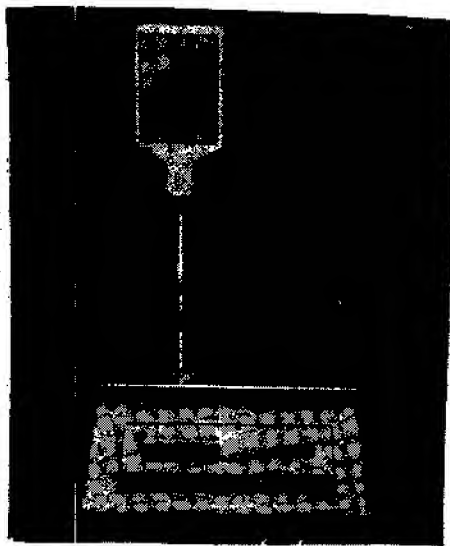
[F. No. WM-21(26)/2007]

M. THURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1374.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इंडो सिस्टेमैटिक्स, #77/1(121), दूसरा तल, फर्स्ट स्टेज, फर्स्ट फेज, डब्ल्यू सी रोड, मंजूनाथ नगर, बंगलौर-560 010 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "आई एस पी-ई ब्ल्यू जे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पैसुल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/9/07/99 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्राम है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक भारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

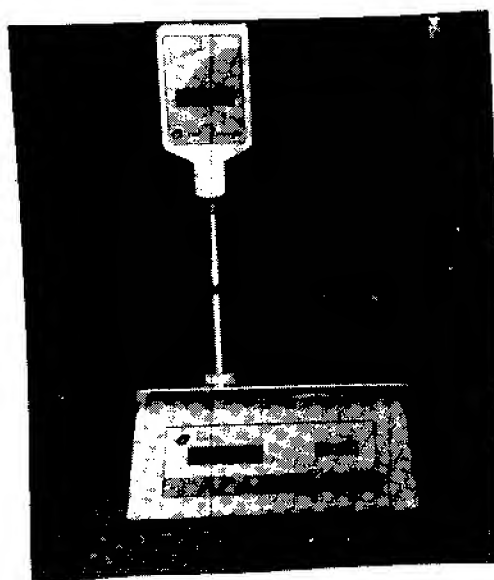
[फा. सं. डब्ल्यू एम-21(42)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1374.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "ISP-EWJ" series of high accuracy (Accuracy Class-II) and with brand name "PANSUL" (herein referred to as the said model), manufactured by M/s. Indo Systematics, # 77/1(121), 2nd Floor, 1st Stage, 1st Phase, WC Road, Manjunathanagar, Bangalore-560 010 and which is assigned the approval mark IND/09/07/99;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30. kg and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

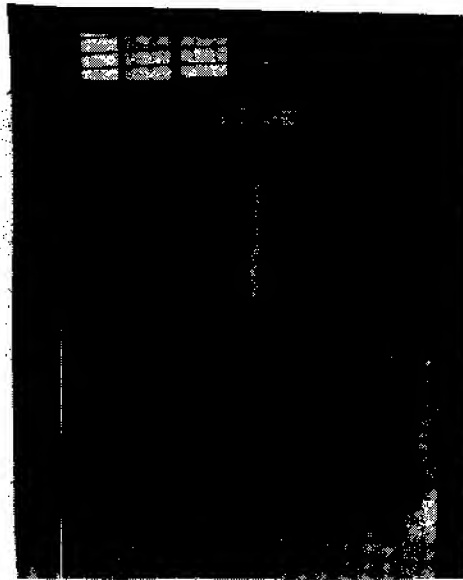
[F. No. WM-21(42)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1375.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इंडो सिस्टेमैटिक्स, #77/1 (121), दूसरा तल, फर्स्ट स्टेज, फर्स्ट फेज, डब्ल्यू सी रोड, मंजूनाथ नगर, बंगलौर-560 010 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आई एस पी-ई ब्ल्यू पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पैसुल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/100 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्राम है और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत- प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) 50 कि.ग्राम से अधिक और 5000 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

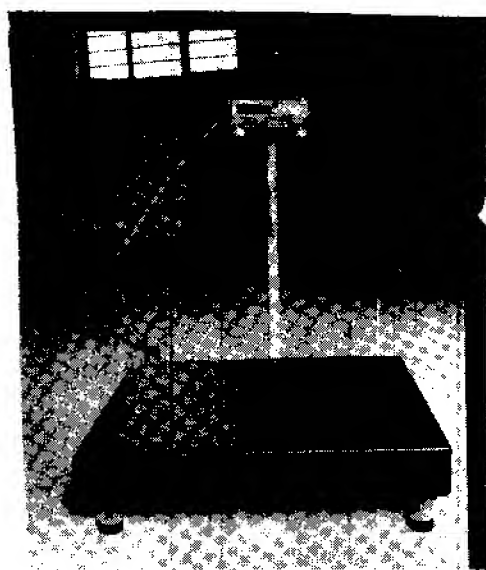
[फा. सं. डब्ल्यू एम-21(42)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1375.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the self indications, non-automatic (Plate form Type) weighing instrument with digital indication of "ISP-EWP" series of medium accuracy (Accuracy Class-III) and with brand name "PANSUL" (herein referred to as the said model), manufactured by M/s. Indo Systematics, #77/1 (121), 2nd Floor, 1st Stage, 1st Phase, W C Road, Manjunathanagar, Bangalore-560 010 and which is assigned the approval mark IND/09/07/100;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg and minimum Capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument same series with maximum capacities above 50kg and up to 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

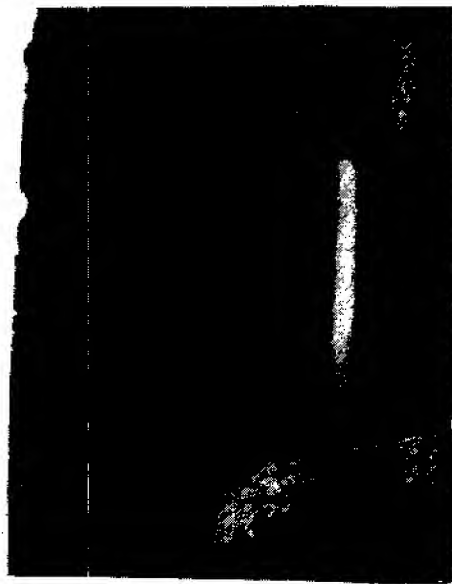
[F. No. WM-21(42)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1376.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वैलर ऑटोमेशन सिस्टम्स, 8/8, बीरप्पा कोकोनट गार्डन, चुनचघट्टा मेन रोड, कोननाकुटे पोस्ट, बंगलूर-560 062 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डब्ल्यू आर टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वैलर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/79 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टॉप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्राम है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

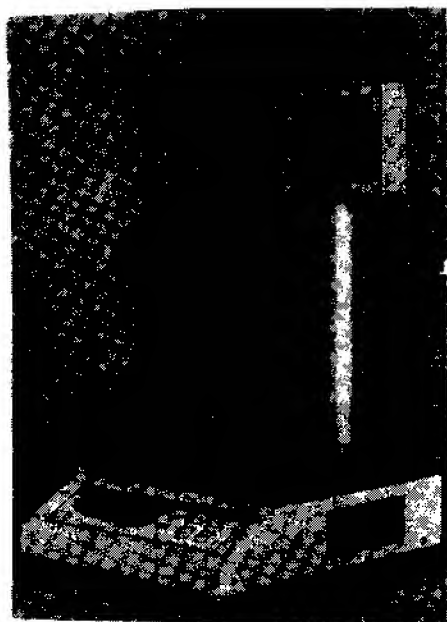
[फा. सं. डब्ल्यू एम-21(41)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1376.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "WRT" series of medium accuracy (Accuracy Class-III) and with brand name "WELLER" (herein referred to as the said model), manufactured by M/s. Weller Automation Systems, 8/8, Beerappa Coconut Garden, Chunchaghatta Main Road, Konanakunte Post, Bangalore-560 062 and which is assigned the approval mark IND/09/07/79.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100 mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

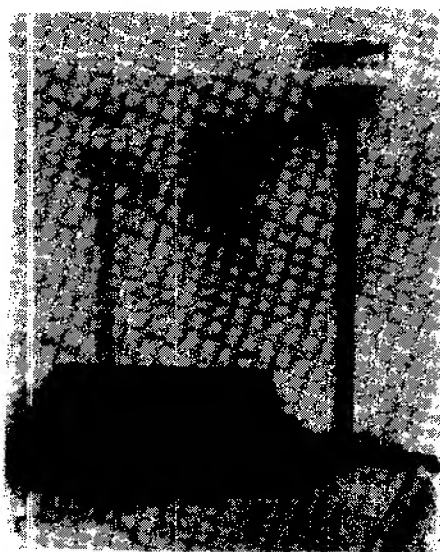
[F. No. WM-21(41)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1377.-केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वैलर ऑटोमेशन सिस्टम्स, 8/8, बीरप्पा कोकोनट गार्डन, चुनचुड़ा मेन रोड, कोननाकुटे पोस्ट, बंगलूर-560 062 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डब्ल्यू बी पी" मूखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट कर्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वैलर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/80, समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टॉप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्राम है और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी मूखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 5000 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 5000 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-4} , 2×10^{-4} या 5×10^{-4} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

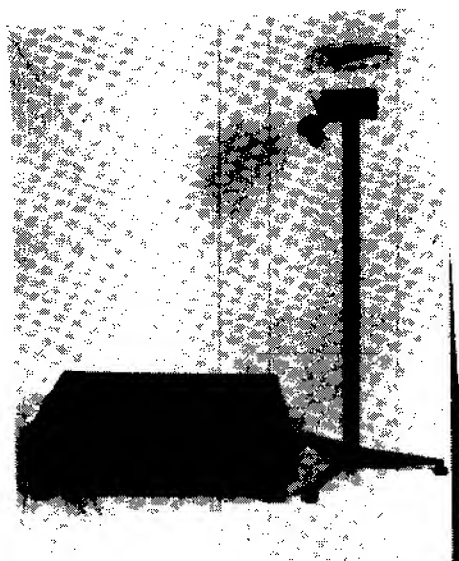
[फा. सं. डब्ल्यू एम-21(41)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1377.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "WBP" series of medium accuracy (Accuracy Class-III) and with brand name "WELLER" (herein referred to as the said model), manufactured by M/s. Weller Automation Systems, 8/8, Beerappa Coconut Garden, Chunchaghatta Main Road, Konanakunte Post, Bangalore-560 062 and which is assigned the approval mark IND/09/07/80;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg and minimum Capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacities above 50kg and up to 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

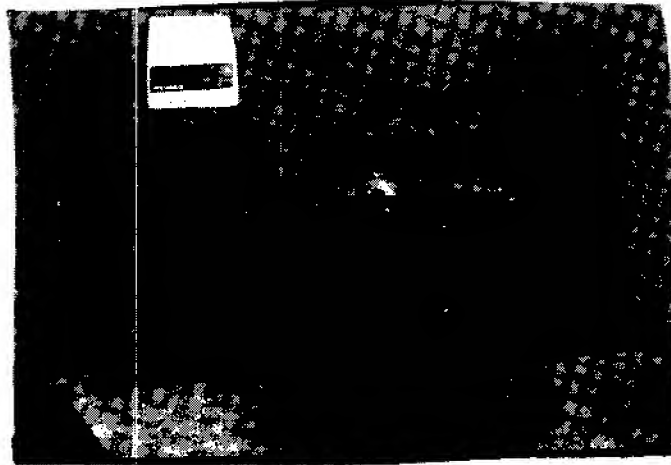
[F. No. WM-21(41)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1378.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स प्रिसाइस इलेक्ट्रॉनिक इंस्ट्रुमेंटेशन कंपनी, 14/390, एच सी के बिल्डिंग, 22वां माइल्स, मंजरी-676 121, मलप्पुरम (जिला), केरल द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “पी आई-पी एफ” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “प्रिसाइस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/113 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्राम है और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कोपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यफलन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 5000 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

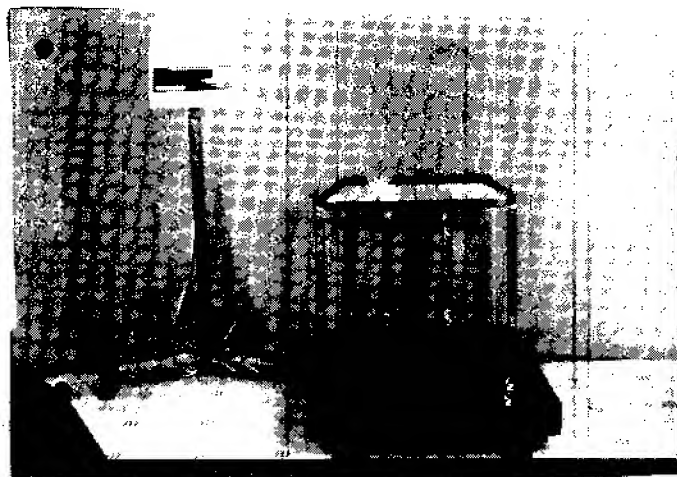
[फा. सं. डब्ल्यू एम-21(52)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1378.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "PI-PF" series of medium accuracy (Accuracy Class-III) and with brand name "PRECISE" (herein referred to as the said model), manufactured by M/s. Precise Electronic Instrumentation Company, 14/390, H.C.K. Building, 22nd Miles, Manjeri-676 121, Malappuram (Dt), Kerala and which is assigned the approval mark IND/09/07/113.



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000 kg and minimum Capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity up to 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

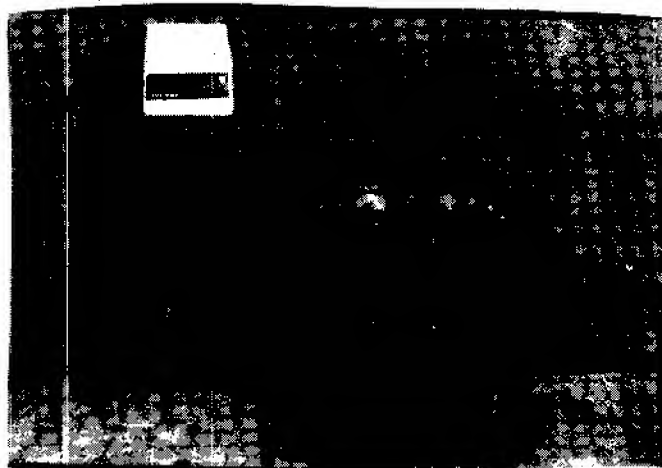
[F. No. WM-21(52)/2007]

M. MATHEURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1379.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स प्रिसाइस इलेक्ट्रॉनिक इंस्ट्रुमेंटेशन कंपनी, 14/390, एच सी के बिल्डिंग, 22वां माइल्स, मंजरी-676 121, मलप्पुरम (जिला), केरल द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी आई-पी पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "प्रिसाइस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/112 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि. ग्राम है और न्यूनतम क्षमता 2.5 कि. ग्र. है। सत्यापन मापमान अंतराल (ई) 50 ग्र. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्र. से 50 मि. ग्र. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्र. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्र. से 5000 कि. ग्र. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

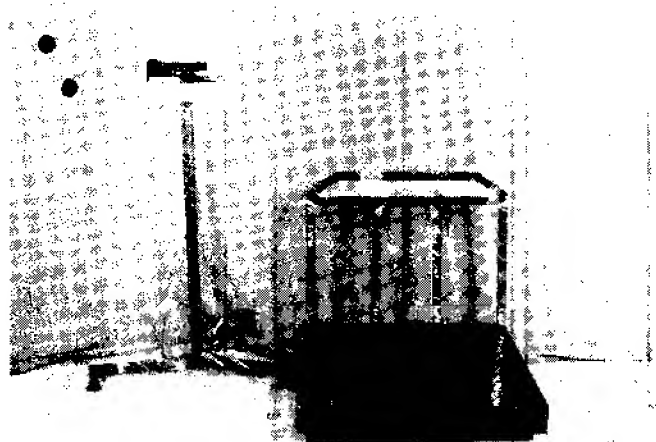
[फा. सं. डब्ल्यू एम-21(52)/2007]

आर. माधुरबोधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1379.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of "PI-PP" series of high accuracy (Accuracy Class-II) and with brand name "PRECISE" (herein referred to as the said model), manufactured by M/s. Precise Electronic Instrumentation Company, 14/390, H.C.K. Building, 22nd Miles. Manjeri-676 121, Moleppuram (D), Kerala and which is assigned the approval mark IND/09/07/112.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600 kg and minimum Capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity range above 50 kg and up to 5000kg and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value, of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

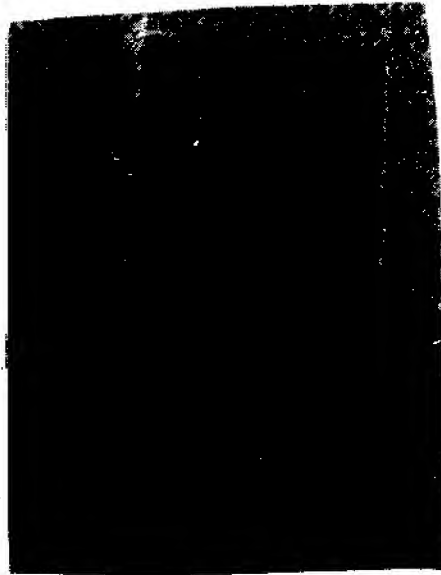
[F. No. WM-21(52)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1380.- केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स प्रिसाइस इलेक्ट्रॉनिक इंस्ट्रुमेंटेशन कंपनी, 14/390, एच सी के बिल्डिंग, 22 वां माइल्स, मंजरी-676 121, मलप्पुरम (जिला), केरल द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पी आई-टी बी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "प्रिसाइस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/111 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्राम है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को विक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

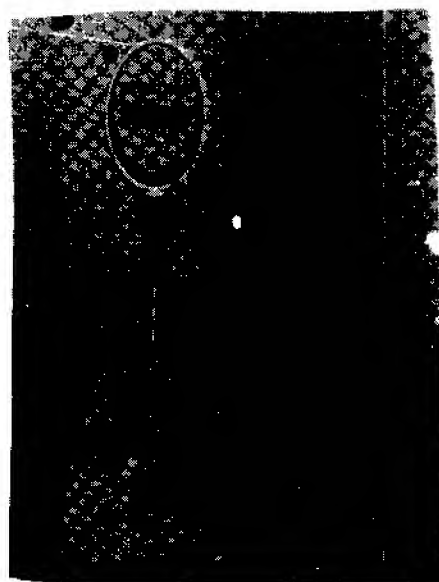
[फा. सं. डब्ल्यू एम- 21(52)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1380.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "PI-TB" series of medium accuracy (Accuracy class-III) and with brand name "PRECISE" (herein referred to as the said Model), manufactured by M/s. Precise Electronic Instrumentation Company, # 14/390, H. C. K. Building, 22nd Miles, Manjeri-676 121, Malappuram (Dt) Kerala and which is assigned the approval mark IND/09/07/111;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100 mg to 2 g. or with verification interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

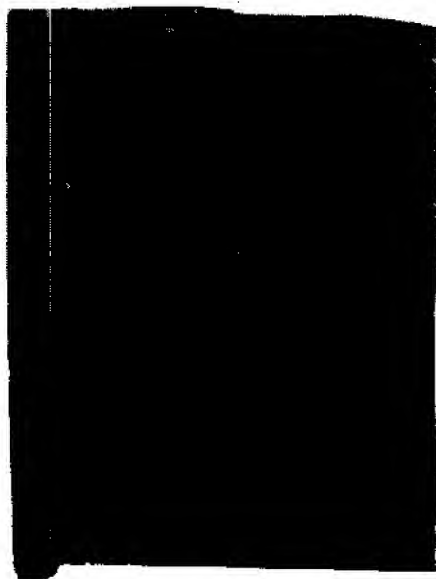
[F. No. WM-21 (52)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

फा.आ. 1381.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स प्रिंसाइस इलेक्ट्रॉनिक इंस्ट्रुमेंटेशन कंपनी, # 14/390, एच सी के बिल्डिंग, 22वां माइल्स, मंजरी-676 121, मलप्पुरम (जिला), केरल द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "पी आई-जे पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रॉड का नाम "प्रिंसाइस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/110 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टॉप) प्रकार का तोलन उपकरण है। इसका अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

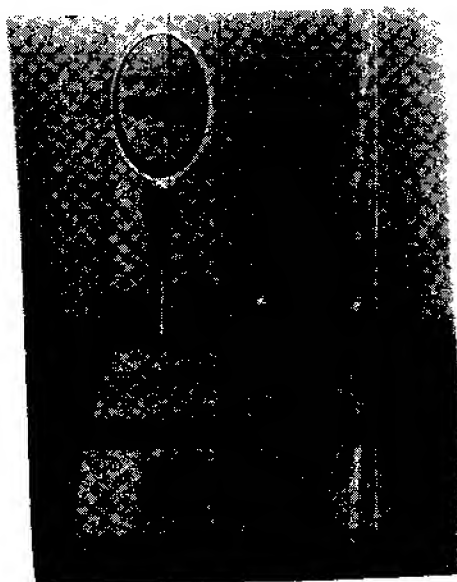
[फा. सं. डब्ल्यू एम-21 (52)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1381.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication of "PI-JP" series of High accuracy (Accuracy class-II) and with brand name "PRECISE" (herein referred to as the said model), manufactured by M/s. Precise Electric Instrumentation Company, # 14/390, H. C. K. Building, 22nd Miles, Manjeri-676 121, Malappuram (Dt) Kerala and which is assigned the approval mark IND/09/07/110;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 500 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^3 , 2×10^3 , 5×10^3 , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

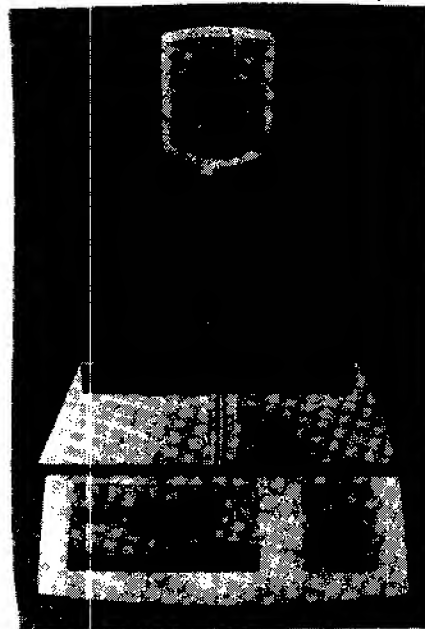
[F. No. WM-21 (52)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1382.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स वसावी स्केल्स, ऋषि सिद्धी कम्पलैक्स, नं. 70/1, ओल्ड थारामुपेट, बंगलूर-560 053 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "वी ई जे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वसावी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/103 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 32 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्रापिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 या 5×10^6 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

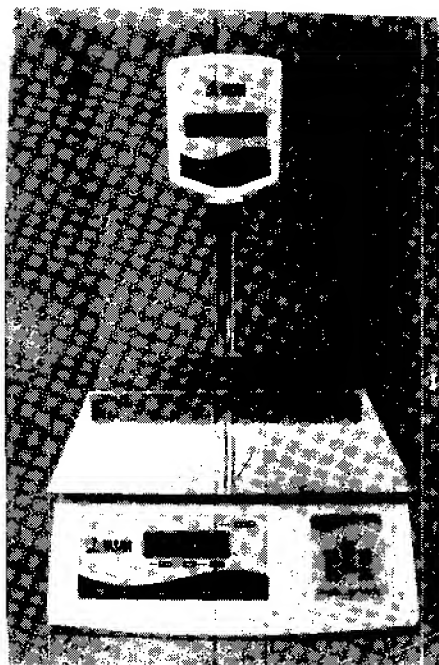
[फा. सं. डब्ल्यू एम-21(44)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1382.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "VEJ" series of high accuracy (Accuracy class-II) and with brand name "VASAVI" (herein referred to as the said Model), manufactured by M/s. Vasavi Scales, Rishi Sidhi Complex, No. 70/1, Old Tharagupet, Bangalore-560 053 and which is assigned the approval mark IND/09/07/103.



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 32 Kg. and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 Kg. and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (44)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1383.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स वसावी स्केल्स, ऋषि सिद्धी कम्पलैक्स, नं. 70/1, ओल्ड थारागुपेट, बंगलौर-560 053 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “वी ई पी” शृंखला के स्वतः सूचक अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “वसावी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/105 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

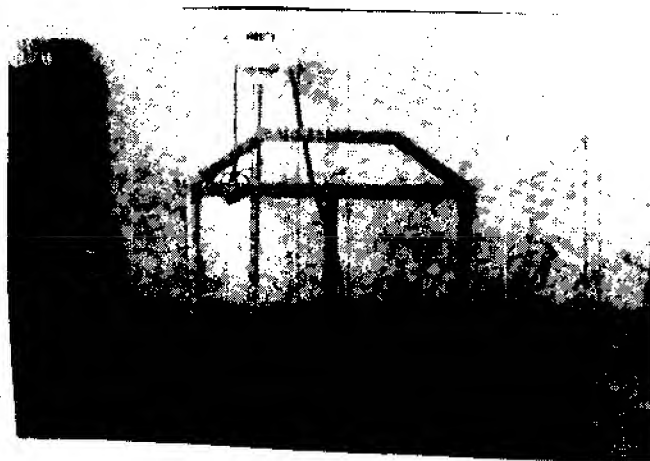
[फा. सं. डब्ल्यू एम-21(44)/2007]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1383.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "VEP" series of medium accuracy (Accuracy class-III) and with brand name "VASAVI" (herein referred to as the said model), manufactured by M/s. Vasavi Scales, Rishi Sidhi Complex, No. 70/1, Old Tharagupet, Bangalore-560 053 and which is assigned the approval mark IND/09/07/105.



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design, and with the same materials with which, the said approved model has been manufactured.

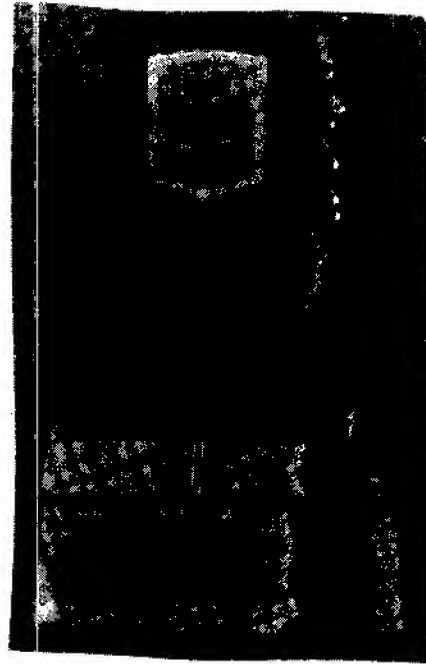
[F. No. WM-21 (44)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1384.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वसावी स्केल्स, ऋषि सिद्धी कम्पलैक्स, नं. 70/1, ओल्ड थारागुपेट, बंगलौर-560 053 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "वी ई टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वसावी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/104 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 32 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

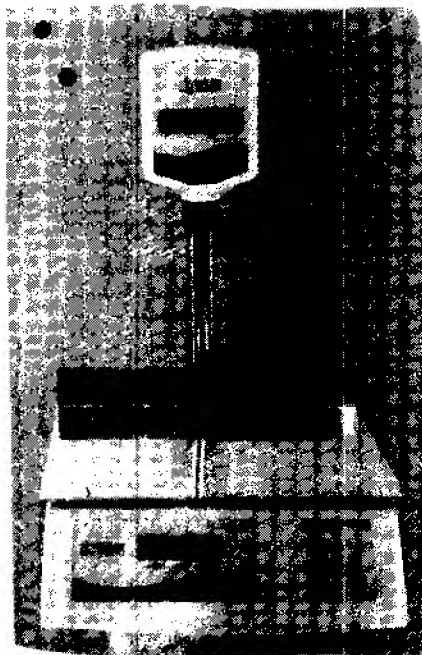
[फा. सं. डब्ल्यू एम-2/(44)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1384.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "VET" series of medium accuracy (Accuracy class-III) and with brand name "VASAVI" (herein referred to as the said model), manufactured by M/s. Vasavi Scales, Rishi Sidhi Complex, No. 70/1, Old Tharagupet, Bangalore-560 053 and which is assigned the approval mark IND/09/07/104.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 32 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate scaling shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100 mg to 2 g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'c' value of 1×10^3 , 2×10^3 or 5×10^3 , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

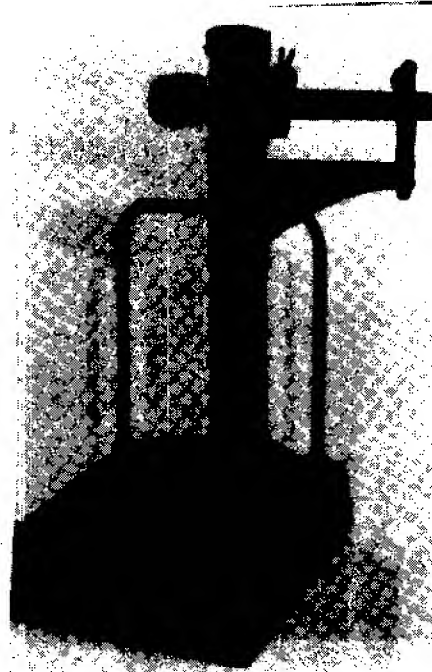
[F. No. WM-21 (44)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1385.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स वसावी स्केल्स, ऋषि सिद्धी कम्पलैक्स, नं. 70/1, ओल्ड थारागुपेट, बंगलौर-560 053 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "वी एम पी" शृंखला के एनलॉग सूचन सहित अस्वचालित तोलन उपकरण (मैकेनिकल प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वसावी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/106 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल मैकेनिकल स्टीलयार्ड (नौ लूज वेट टाइप) आधारित कम्पाउंड लीवर आधारित अस्वचालित (मैकेनिकल प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्रा. है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

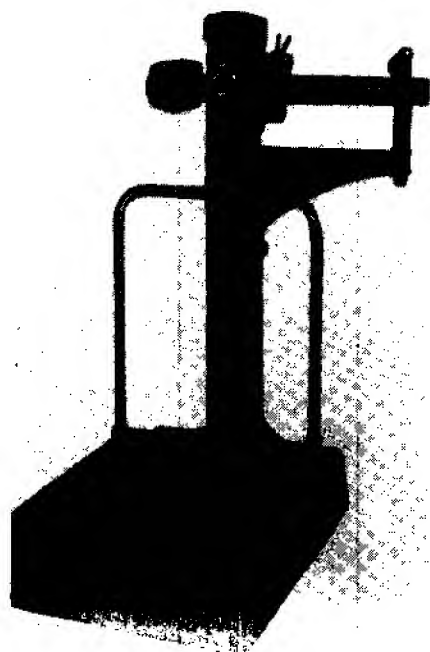
[फा. सं. डब्ल्यू एम-21(44)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1385.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Mechanical Platform type) weighing instrument with analogue indication of medium accuracy (Accuracy class-III) of series "VMP" and with brand name "VASAVI" (herein referred to as the said model), manufactured by M/s. Vasavi Scales, Rishi Sidhi Complex, No. 70/1, Old Tharagupet, Bangalore-560 053 and which is assigned the approval mark IND/09/06/106.



The said model is a mechanical steelyard type (No- Loose Weight Type) based upon compound lever non-automatic weighing instrument (Mechanical platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (44)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 25 अप्रैल, 2007

का. आ. 1386.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गए हैं :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (को) की संख्या और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	IS 6073:2006 'फर्श व छतों के ऑटोक्लेविट प्रबलित कोशिकीय कंक्रीट स्लैब—विशिष्ट (पहला पुनरीक्षण)'	IS 6073:1971	1 जून 2007

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' व प्रमुख (सिविल इंजीनियरी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 25th April, 2007

S. O. 1386.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here-to annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established and Title	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 6073: 2006 'Autoclaved Reinforced Cellular Concrete Floor and Roof Slabs-Specification (First Revision)'	IS 6073: 1971	1 June 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. CED/Gazette]

A. K. SAINI, Sc. 'F' & Head (Civil Engg.)

नई दिल्ली, 27 अप्रैल, 2007

का. आ. 1387.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/ किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानकों की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3144:1992 खनिज ऊर्ण तापरोधक सामग्री-परीक्षण पद्धति	संशोधन संख्या नं. 2, फरवरी 2007	28 फरवरी 2007
2.	आई एस 3025 (भाग 4) : जल एवं अपशिष्ट जल के नमूने लेना और परीक्षण (भौतिक एवं रसायनिक) की विधियां भाग 4 रंग (पहला पुनरीक्षण)	संशोधन संख्या नं. 1, मार्च 2007	31 मार्च 2007
3.	आई एस 10871:1984 हाइड्रोजन और हाइड्रोजन हाइड्रेट हेतु सुरक्षा पद्धति	संशोधन संख्या नं. 1, फरवरी 2007	28 फरवरी 2007
4.	आई एस 7445:1974 एसीटोन हेतु सुरक्षा रीति	संशोधन संख्या नं. 1, फरवरी 2007	28 फरवरी 2007

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 27/आई एस 3144 एवं अन्य]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1387.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3144:1992 Minerals Wool Thermal Insulation Materials Method of Test (Second Revision)	Amendment No. 2, February 2007	28 February 2007
2.	IS 3025 (Part 4): 1983 Methods of Sampling and test (Physical and Chemical) for Water and Waste Water Part 4 Colour (First Revision)	Amendment No. 1 March 2007	31 March 2007
3.	IS 10871:1984 Code of Safety for Hydrazine and Hydrazine Hydrate	Amendment No. 1 February 2007	28 February 2007
4.	IS 7445:1974 Code of Safety for Acetone	Amendment No. 1 February 2007	28 February 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 27/IS 3144 & others]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

का. आ. 1388.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 6582(भाग 2) : 2001 औद्योगिक बहिःस्राव एवं अपशिष्ट जल के लिए अत्यधिक आविषालुपता के मूल्यांकन की बायो-ऐसे- पद्धति भाग 2 जेबरा फिश में आविषालुपता कारक का प्रयोग करके (ब्रेकाईडेनियो, रेट्रो) (पहला पुनरीक्षण)	संशोधन संख्या नं. 2, मार्च 2007	31 मार्च 2007
2.	आई एस 12432(भाग 3) : 2002 स्प्रै प्रयुक्त रोधन का अनुप्रयोग-रीति संहिता भाग 3 पॉलीयूरेथेन/पॉलीआइसोसाइनेट	संशोधन संख्या नं. 1, मार्च 2007	31 मार्च 2007

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 32/आई एस 6582 (भाग 2)]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1388.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 6582 (Part 2) : 2001 Bio-Assay method for evaluating acute toxicity of industrial effluents and waste waters part 2 using toxicity factor to zebra fish (Brachydanio Rerio) (First Revision)	Amendment No. 2 March 2007	31 March 2007
2.	IS 12432 (Part 3) : 2002 Application of spray applied insulation code of practice part 3 Polyurethane/Polyisocyanurate	Amendment No. 1 March 2007	31 March 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 32/IS 6582 (Pt. 2)]

E. DEVENDAR, Sc. 'F' S' Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

क्रा. आ. 1389.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 6921 : 1973 लाख और लाख उत्पादों के नमूने लेने और परीक्षण की पद्धतियां	संशोधन संख्या नं. 2, फरवरी 2007	28 फरवरी 2007

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 23/आई एस 6921]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1389.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 6921 : 1973 Methods of Sampling and Test for Lac and Lac Products	Amendment No. 2 February 2007	28 February 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. : CHD 23/IS 6921]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

क्रा. आ. 1390.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 6766 : 1993 निकल और क्रोम लेपित सतह के लिए प्रयुक्त बफिंग यौगिक-विशिष्ट (पहला पुनरीक्षण)	संशोधन संख्या 1, जनवरी 2007	30 जनवरी 2007

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 23/आई एस 6766]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1390.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
3.	IS 6766 : 1993 Buffing compounds use for Nickel and Chrome Plated Surfaces—Specification (First Revision)	Amendment No. 1 January 2007	30 January 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 23/IS 6766]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

क्र. आ. 1391.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 13160 : 1991 एल्यूरिटिक अम्ल—विशिष्ट	संशोधन की संख्या 1, फरवरी 2007	28 फरवरी 2007

इस संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ: सीएचडी 23/आई एस 13160]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1391.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 13160 : 1991 Aleuritic Acid—Specification	Amendment No. 1 February 2007	28 February 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 23/IS 13160]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

क्र. आ. 1392.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 9842 : 1994 पूर्वसंविचित रेशोदार पाइप हेतु ऊष्मा रोधन—विशिष्ट (प्रथम पुनरीक्षण)	संशोधन संख्या नं. 2, फरवरी 2007	28 फरवरी 2007
2.	आई एस 8183 : 1993 आबद्ध खनिज उर्ण—विशिष्ट (प्रथम पुनरीक्षण)	संशोधन संख्या नं. 3, मार्च 2007	31 मार्च 2007
3.	आई एस 10245 (भाग 2) : 1994 श्वसन रक्षी उपकरण—विशिष्ट भाग 2 खुले परिपथ वाले श्वसन उपकरण (प्रथम पुनरीक्षण)	संशोधन संख्या नं. 2, दिसम्बर 2006	31 दिसम्बर, 2006

इस संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 27/आई एस 9842]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1392.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 9842 : 1994 Preformed fibrous pipe insulation Specification (First Revision,	Amendment No. 2 February 2007	28 February 2007
2.	IS 8183 : 1993 Bonded Mineral Wool—Specification (First Revision)	Amendment No. 3 March 2007	31 March 2007
3.	IS 10245 Part 2 : 1994 Respiratory Protective Devices—Specification Part 2 open circuit breathing apparatus (First Revision)	Amendment No. 2 December 2006	31 December 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 27/IS 9842]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 27 अप्रैल, 2007

का. अ. 1393.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गए हैं :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 12038 (भाग 1) : 2007/आई एस ओ 4531-1 : 1998 विटरियस और पोरसलेन इनेमल—खाद्य सामग्री संपर्क में इनेमलित आधानों से सीसा और कैडमियम विमोचित होना भाग 1 परीक्षण पद्धति (पहला पुनरीक्षण)	-----	31 जनवरी 2007
2	आई एस 12038 (भाग 2) : 2007/आई एस ओ 4531-2 : 1998 विटरियस और पोरसलेन इनेमल—खाद्य सामग्री संपर्क में इनेमलित आधानों से सीसा और कैडमियम विमोचित होना भाग 2 अनुमत सीमा (पहला पुनरीक्षण)	-----	31 जनवरी 2007

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, पोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीएचडी 9/टी-12038]

ई. देवेन्द्र, वैज्ञानिक 'एफ', निदेशक (रसायन)

New Delhi, the 27th April, 2007

S. O. 1393.—In pursuance of clause (b) of sub-rule (1) or Rule 7 of the Bureau of Indian Standards Rules 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which given in the Schedule here to annexed has been established on the date indicated below :

SCHEDULE

Sl. No.	No. and title of the Indian Standard Established	No. and year of Indian Standard, if any, superseded by the new Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 12038 (Part 1): 2007/ISO 4531-1: 1998 Vitreous and porcelain enamels— Release of lead and cadmium from enamelled ware in contact with food Part 1 Method of test (First Revision)	31 January 2007
2.	IS 12038 (Part 2): 2007/ISO 4531-2: 1998 Vitreous and porcelain enamels— Release of lead and cadmium from enamelled ware in contact with food Part 1 Permissible limits (First Revision)	31 January 2007

Copy to the Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. CHD 9/T-12038]

E. DEVENDAR, Sc. 'F', Director (Chemical)

नई दिल्ली, 4 मई, 2007

का. आ. 1394.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3196 (भाग 3) : 1991 अल्प दाबद्रवमाप गैसों के लिए 5 लीटर से अधिक जलक्षमता वाले अल्प वेल्डित कार्बन इस्पात के लिए सिलिंडर भाग 3 परीक्षण पद्धति (चौथा पुनरीक्षण)	संशोधन नं. 3, मार्च 2007	12 अप्रैल 2007
2.	आई एस 8737 : 1995 5-लीटर से अधिक पानी की क्षमता वाले द्रवित पेट्रोलियम गैस (द्रव पै गै) सिलिंडरों के उपयोग के लिए वाल्व फिटिंग-विशिष्ट (पहला पुनरीक्षण)	संशोधन नं. 2, मार्च 2007	29 मार्च 2007
3.	आई एस 15500 (भाग 1 से 8) : 2004 गहराई से पानी निकालने वाले हथबज में प्रयुक्त होने वाले पुर्जें और विशेष औजार - विशिष्ट	संशोधन नं. 1, फरवरी 2007	29 मार्च 2007

इस संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ: एम. ई. डी./जी-2 : 1]

सो. के. वेदा, वैज्ञानिक 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 4th May 2007

S. O. 1394.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl.No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3196 (Part 3) : 1991 Welded low carbon steel cylinders exceeding 5 litre water Capacity for Low Pressure Liquefiable Gases Part 3 Method of tests (Fourth Revision)	Amendment No. 3 March 2007	12 April 2007
2.	IS 8737 : 1995 Valve fittings for use with Liquefied Petroleum Gas (LPG) cylinders of more than 5 litre water capacity (First Revision)	Amendment No. 2 March 2007	29 March 2007
3.	IS 15500 : (Parts 1 to 8) : 2004 Deepwell handpumps, components and special tools—Specification	Amendment No. 1 February 2007	29 March 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: MED/G-2 : 1]

C. K. VEDA, Sc. 'F' & Head (Mechanical Engineering)

कोयला मंत्रालय

नई दिल्ली, 19 अप्रैल, 2007

का. आ. 1395.—केन्द्रीय सरकार, राजभाषा नियम (संघ के शासकीय प्रयोजन के लिए प्रयोग), 1976 (यथा संशोधित, 1987) के नियम 10 के उप-नियम (4) के अनुसरण में, कोयला मंत्रालय के अधीनस्थ कार्यालय कोयला नियंत्रक का कार्यालय, कोलकाता को, जिसके 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[फा. सं. ई-12019/1/99-हिंदी]

पी. आर. मंडल, सलाहकार (परियोजना)

MINISTRY OF COAL

New Delhi, the 19th April, 2007

S. O. 1395.—In pursuance of Sub-rule(4) of the Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government, hereby, notifies the Office of Coal Controller, Calcutta, a subordinate office under the Ministry of Coal, whereof more than 80% staff have acquired working knowledge of Hindi.

[F. No. E-12019/1/99-Hindi]

P. R. MANDAL, Adviser (Project)

नई दिल्ली, 7 मई, 2007

का. आ. 1396.—केन्द्रीय सरकार, को यह प्रतीत होता है कि, इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किये जाने की संभावना है,

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/309 तारीख 8 जनवरी, 2007 का निरीक्षण कलेक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, कार्बिसल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोल फील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व) साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) को दिए जायेंगे।

अनुसूची

हरदी ब्लाक पहला विस्तार (दिपका विस्तार)

दिपका क्षेत्र,

जिला-कोरबा (छत्तीसगढ़)

(रेखांक संख्या-एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/309 तारीख 8-1-2007 (पूर्वक्षण के लिए अधिसूचना भूमि दर्शाते हुए)

क्रम संख्या	ग्राम	पटवारी हल्का नम्बर	खेवट नम्बर	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	रेणकी	29	55	कटघोरा	कोरबा	10.00	भाग
2.	सुआभौंडी	29	38	कटघोरा	कोरबा	15.00	भाग
3.	आमगांव	29	36	कटघोरा	कोरबा	25.00	भाग
4.	हरदीबजार	29	56	कटघोरा	कोरबा	65.00	भाग

योग :-115.00 हेक्टर (लगभग) या 284.16 एकड़ (लगभग)

सीमा वर्णन :-

क-ख रेखा ग्राम रेणकी में 'क' बिन्दु से आरंभ होती है और ग्राम रेणकी से गुजरती है फिर भागतः ग्राम रेणकी की उत्तरी सीमा के साथ होते हुए ग्राम सुआभोंडी, हरदीबजार, आमगांव से गुजरती हुई 'ख' बिन्दु पर मिलती है।

ख-ग-घ रेखा ग्राम आमगांव से गुजरती है फिर भागतः ग्राम आमगांव की दक्षिणी सीमा के साथ होते हुए ग्राम हरदीबजार से गुजरती हुई 'घ' बिन्दु पर मिलती है।

घ-क रेखा ग्राम हरदीबजार की दक्षिणी-पश्चिमी सीमा के साथ गुजरते हुए ग्राम रेणकी से होते हुए आरंभिक 'क' बिन्दु पर मिलती है।

[फा. सं. 43015/3/2007-पी.आर.आई.डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 7th May, 2007

S. O. 1396.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957). (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing Number SECL/BSP/GM(Plg)/Land/309 dated 8th January, 2007 of the area covered by this notification can be inspected at the office of the Collector, Korba (Chhattisgarh) or at the office of the coal Controller, 1, Council House Street, Kolkata-700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

All persons interested in the land covered by this Notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the officer-in-Charge or Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495006 (Chhattisgarh), within ninety days from the date of publication of this notification in the official Gazette.

SCHEDULE**Hardi Block 1st Extension (Dipka Expansion)****Dipka Area, District Korba (Chhattisgarh)**

Plan No. SECL/BSP/GM(Plg)/Land/309 dated 8-1-2007
(Showing the land notified for prospecting)

Sl. No.	Village	Patwari Malka number	Khewat number	Tahsil	District	Area in hectares	Remarks
1.	Renki	29	55	Katghora	Korba	10.00	Part
2.	Suwabhondi	29	38	Katghora	Korba	15.00	Part
3.	Amgaon	29	36	Katghora	Korba	25.00	Part
4.	Hardibazar	29	56	Katghora	Korba	65.00	Part
Total :—115.00 hectares (approximately) or 284.16 acres (approximately)							

Boundary description :

- A-B** Line starts from point "A" in village Renki and passes through village Renki, then partly along the Northern boundary of village Renki, then through villages Suwabhondi, Hardibazar, Amgaon and meet at point "B".
- B-C-D** Line passes through village Amgaon, then partly along the Southern boundary of village Amgaon, then through villages Hardibazar, and meet at point "D".
- D-A** Line passes along the south-western boundary of village Hardibazar, then through village Renki and meets at the starting point "A".

[F. No. 43015/3/2007-PRIW-I]

M. SHAHABUDEEN, Under Secy.

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 24 अप्रैल, 2007

क्र. आ. 1397.—केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दुग्ध उत्पाद निर्यात (क्वालिटी नियंत्रण, निरीक्षण और मॉनिटरिंग) नियम, 2000 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम दुग्ध उत्पाद निर्यात (क्वालिटी नियंत्रण, निरीक्षण और मॉनिटरिंग) संशोधन नियम 2007 है।

(2) से राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. दुग्ध उत्पाद निर्यात (क्वालिटी नियंत्रण, निरीक्षण और मॉनिटरिंग) नियम 2000 के नियम 4 के उपनियम 4.18 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“4.18 यह सुनिश्चित करने के लिए इन नियमों का पालन किया जा रहा है, संयंत्र और पैकिंग केन्द्रों का निरीक्षण और मॉनिटरिंग तीन मास में एक बार सक्षम प्राधिकारी द्वारा की जाएगी, जिसकी सभी समयों पर संयंत्र के सभी भागों में निर्बाध पहुंच होगी उत्पादन की स्वास्थ्य जाँच और पर्यवेक्षण उपाबंध “घ” में दिए गए तत्वों के अनुसार किया जाएगा।”

[फा. सं. 6/1/2000-ईआई एण्ड ईपी]

वी. के. गाबा, उपसचिव

टिप्पण :-मूल नियम भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 2720 तारीख 28-11-2000 द्वारा प्रकाशित किए गए थे और क्रमशः अधिसूचना सं. का.आ. 3719 तारीख 12-11-2002, का.आ. 999 (अ) तारीख 13-9-2004 और का.आ. 715 तारीख 25-2-2005 द्वारा उनमें परावर्तनी संशोधन किए गए।

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 24th April, 2007

S. O. 1397.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules further to amend the Export of Milk Products (Quality Control, Inspection and Monitoring) Rules, 2000, namely:—

1. (1) These rules may be called the Export of Milk Products (Quality control Inspection and Monitoring) Amendment Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export of Milk Products (Quality Control, Inspection and Monitoring) Rules, 2000, in rule 4, for the sub-rule 4.18 the following shall be substituted, namely:—

“4.18. The inspection and monitoring of plant and packaging centres shall be carried out at least once in three months by the competent authority, which shall at all times have free access to all parts of the plants, in order to ensure that these rules are being observed. The health checks and supervision of production shall be carried out as per the elements given in Annexure D”.

[F. No. 6/1/2000-EI&EP]

V. K. GAUBA, Dy. Secy.

Note :—The principal rules were published in the Gazette of India Part II, Section 3(ii) vide Notification No. S.O. 2720 dated 28-11-2000 and subsequently amended vide Notification No. S.O. 3719 dated 12-11-2002, S.O. 999 (E) dated the 13-9-2004 and S.O. 715 dated 25-2-2005.

नई दिल्ली, 24 अप्रैल, 2007

क्र.आ. 1398.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उपनियम (2) के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्राइवेट) लिमिटेड को जिसका रजिस्ट्रीकृत कार्यालय, प्लॉट नं. एल-24, इंडस्ट्रियल इस्टेट, डाम रोड, पो. ओ. होसपेट, बैल्लारी, कर्नाटक-583203 में स्थित है को राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए तत्कालीन वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3975 तारीख 20 दिसम्बर, 1965 में उपाबद्ध अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क, ग्रुप-I अर्थात् लौह अयस्क और मैंगनीज अयस्क, (मैंगनीज डाइआक्साइड को छोड़कर) उक्त खनिजों और अयस्क के निर्यात से पूर्व निम्नलिखित शर्तों के अधीन होसपेट में, निरीक्षण करने के लिए एक अधिकरण के रूप में मान्यता प्रदान करती है, अर्थात् :-

(i) यह कि मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्राइवेट) लिमिटेड, खनिज और अयस्क ग्रुप-I (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण का प्रमाण-पत्र देने के लिए उनके द्वारा अपनाई गई पद्धति की जांच करने के लिए, इस निमित्त निर्यात निरीक्षण परिषद् द्वारा नामित अधिकारियों को पर्याप्त सुविधाएं देगी;

(ii) यह कि मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्राइवेट) लिमिटेड, इस अधिसूचना के अधीन अपने कृत्यों के पालन में निदेशक (निरीक्षण और क्वालिटी नियंत्रण) द्वारा समय-समय पर लिखित में दिए गए निर्देशों से आबद्ध होंगी।

[फा. सं. 5/2/2007-ईआई एण्ड ईपी]

वी. के. गाबा, उपसचिव

New Delhi, the 24th April, 2007

S.O. 1398.—In exercise of the powers conferred by the sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in pursuance of sub-rule (2) of Rule 12 of the Export (Quality Control and Inspection) Rules, 1964 the Central Government hereby recognises M/s. Superintendence Company of India (Private) Limited, located at Plot No. L-24, Industrial Estate, Dam Road, P.O. Hospet, Bellary, Karnataka-583203, as an agency for a period of three years with effect from the date of publication of this notification, for the inspection of Minerals and Ores Group-I, namely, Iron Ore and Manganese Ore (excluding Manganese Dioxide), specified in the Schedule annexed to the notification of the Government of India in the erstwhile Ministry of Commerce number S.O. 3975, dated 20th December 1965, prior to export of the said Minerals and Ores, at Hospet, subject to the following conditions, namely:—

- (i) that M/s. Superintendence Company of India (Private) Limited shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores-Group I (Inspection) Rules, 1965;
- (ii) that M/s. Superintendence Company of India (Private) Limited in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. 5/2/2007/EI&EP]

V. K. GAUBA, Dy. Secy.

नई दिल्ली, 24 अप्रैल, 2007

का.आ. 1399.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उपनियम (2) के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इटालैब (गोआ) प्रा. लि. जो कि 103, लोटलीकर बिल्डिंग, मार्गाव-403 601, गोआ में स्थित है, को 10-12-2006 से प्रभावी इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से और तीन वर्ष की अवधि के लिए वाणिज्य मंत्रालय, भारत सरकार की अधिसूचना सं. का.आ. 3975 तारीख 20 दिसम्बर, 1965 के साथ सम्बद्ध अनुसूची में विनिर्दिष्ट खनिज और अयस्क (समूह-I) अर्थात् लौह अयस्क और मैंगनीज अयस्क, फ़ैरोमैंगनीज, फ़ैरोमैंगनीज स्लेग सहित और बॉक्साइट, कैलसिनड बॉक्साइट सहित के निर्यात से पूर्व निम्नलिखित शर्तों के अधीन गोआ में उक्त खनिजों

और अयस्कों का निरीक्षण करने के लिए एक अधिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) कि मैसर्स इटालैब (गोआ) प्रा. लि. गोआ खनिज और अयस्क समूह-I का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण का प्रमाण-पत्र देने के लिए उनके द्वारा अपनाई गई पद्धति की जांच करने के लिए, इस संबंध में निर्यात निरीक्षण परिषद् द्वारा नाम निर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी;
- (ii) मैसर्स इटालैब (गोआ) प्रा. लि. गोआ इस अधिसूचना के अधीन अपने कृत्यों के पालन में निदेशक (निरीक्षण और क्वालिटी नियंत्रण) निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित में दिए गए निर्देशों से आबद्ध होंगे।

[फा. सं. 5/6/2006/ईआई एण्ड ईपी]

वी. के. गाबा, उपसचिव

New Delhi, the 24th April, 2007

S.O. 1399.—In exercise of the powers conferred by the sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in pursuance of sub-rule (2) of Rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s. Italab (Goa) Pvt. Ltd., located at 103, Lotlikar Building, Margao-403601, Goa as an agency for a further period of three years with effect from 10 December, 2006 through publication of this notification in the Official Gazette, for inspection of Minerals and Ores (Group-I), namely, Iron Ore, Manganese Ore, Ferromanganese including Ferromanganese slag and Bauxite including Calcined Bauxite, specified in the Schedules annexed to the notification of the Government of India in the Ministry of Commerce number S.O. 3975, dated 20th December 1965, prior to export of the said Minerals and Ores, at Goa, subject to the following conditions, namely:—

- (i) that M/s. Italab (Goa) Pvt. Ltd., Goa shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under Rule 4 of the Export of Minerals and Ores-Group I (Inspection) Rules, 1965;
- (ii) that M/s. Italab (Goa) Pvt. Ltd., Goa in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. 5/6/2006/EI&EP]

V. K. GAUBA, Dy. Secy.

नई दिल्ली, 24 अप्रैल, 2007

का.आ. 1400.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उपनियम (2) के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एसन एंड कम्पनी, जो कि 106/8 मेन रोड, मालेश्वरम वेस्ट-बंगलूर-560 055 में स्थित है, को 10-12-2006 से तीन वर्ष की और अवधि के लिए राजपत्र में इस अधिसूचना के प्रकाशन के माध्यम से वाणिज्य मंत्रालय में, भारत सरकार की अधिसूचना सं. का.आ. 3975 और का.आ. 3978 दोनों तारीख 20 दिसम्बर, 1965 के साथ उपाबद्ध अनुसूचियों में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप-I) अर्थात् लौह अयस्क और मैंगनीज अयस्क, और (ग्रुप-II) अर्थात् फेल्डस्पार, रेड ऑक्साइड, स्टीट्स और बाराइट्स के बंगलूर में निर्यात से पूर्व उक्त खनिजों एवं अयस्कों का निरीक्षण करने के लिए एक अभिकरण के रूप में निम्नलिखित शर्तों के अधीन रहते हुए मान्यता प्रदान करती है, अर्थात् :-

- (i) कि मैसर्स एसन एंड कम्पनी, बंगलूर, खनिज तथा अयस्क ग्रुप-I का निर्यात (निरीक्षण) नियम, 1965 और खनिज तथा अयस्क ग्रुप-II का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण का प्रमाण-पत्र देने के लिए उनके द्वारा अपनाई गई पद्धति की जांच करने के लिए, इस निमित्त निर्यात निरीक्षण परिषद् द्वारा नामित अधिकारियों को पर्याप्त सुविधाएं देगी,
- (ii) मैसर्स एसन एंड कम्पनी, बंगलूर इस अधिसूचना के अधीन अपने कर्तव्यों के पालन में ऐसे निर्देशों द्वारा आबद्ध होगा जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण), निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित रूप में दिए जाएं।

[फा. सं. 5/1/2006/ईआई एण्ड ईपी]

वी. के. गाबा, उपसचिव

New Delhi, the 24th April, 2007

S.O. 1400.—In exercise of the powers conferred by the sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in pursuance of sub-rule (2) of Rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s. Essen & Co., located at 106/8th Main Road, Malleswaram West, Bangalore-560055 as an agency for a further period of three years with effect from 10-12-2006 through publication of this notification in the Official Gazette, for inspection of Minerals and Ores (Group-I), namely, Iron Ore, Manganese Ore and (Group-II), namely, Feldspar, Red Oxide, Steatite and Barytes, specified in the Schedules annexed to the Notifications of the Government of India in the Ministry of Commerce numbers S.O. 3975 and S.O. 3978 both dated the 20th December 1965, prior to export of the said Minerals and Ores, at Bangalore, subject to the following conditions, namely:—

- (i) that M/s. Essen & Co., Bangalore shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under Rule 4 of the Export of Minerals and Ores-Group I (Inspection) Rules, 1965 and the export of Minerals and Ores-Group II (Inspection) Rules, 1965;
- (ii) that M/s. Essen & Co., Bangalore in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F.No. 5/7/2006/EI&EP]

V. K. GAUBA, Dy. Secy.

नई दिल्ली, 24 अप्रैल, 2007

का.आ. 1401.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उपनियम (2) के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एसन एंड कम्पनी, जो कि 11/6, तीसरी मेन रोड, इंदिरा नगर, अड्यार, चेन्नई-600 020 में स्थित है, को 6 नवम्बर, 2006 से तीन वर्ष की और अवधि के लिए राजपत्र में इस अधिसूचना के प्रकाशन के द्वारा वाणिज्य मंत्रालय, भारत सरकार की अधिसूचना सं. का. आ. 3975 और का.आ. 3978, दोनों तारीख 20 दिसम्बर, 1965 के साथ उपाबद्ध अनुसूचियों में विनिर्दिष्ट खनिज और अयस्क (समूह-I) अर्थात् लौहा अयस्क और मैंगनीज अयस्क और (ग्रुप-II) अर्थात् फेल्डस्पार रेड ऑक्साइड, यैल्लो ओवर, कैल्सोड मैंगनेसाइट्स, स्टीट्स और बाराइट्स के निर्यात से पूर्व उक्त खनिजों और अयस्कों का निरीक्षण करने के लिए निम्नलिखित शर्तों के अधीन चेन्नई में एक अभिकरण के रूप में मान्यता देती है, अर्थात् :-

- (i) मैसर्स एसन एंड कम्पनी, चेन्नई खनिज और अयस्क समूह-I का निर्यात (निरीक्षण) नियम, 1965 तथा खनिज और अयस्क ग्रुप-II का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण का प्रमाण-पत्र देने के लिए उनके द्वारा अपनाई गई पद्धति की जांच करने के लिए, इस निमित्त निर्यात निरीक्षण परिषद् द्वारा नामनिर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी,
- (ii) मैसर्स एसन एंड कम्पनी, चेन्नई इस अधिसूचना के अधीन अपने कर्तव्यों के पालन में निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण), निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित में दिए गए निर्देशों से आबद्ध होंगे।

[फा. सं. 5/8/2006/ईआई एण्ड ईपी]

वी. के. गाबा, उपसचिव

New Delhi, the 24th April, 2007

S.O. 1401.—In exercise of the powers conferred by the sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1953 (22 of 1963), and in pursuance of sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s Essen & Co., located at 11/6, Third Main Road, Indira Nagar, Adyar, Chennai-600020, as an agency for a further period of three years with effect from 6 November 2006 through publication of this notification in the Official Gazette, for inspection of Minerals and Ores (Group-I), namely, Iron Ore, Manganese Ore and (Group-II), namely, Feldspar, Red Oxide, Yellow Ochre, Calcined Magnesite, Steatite and Barytes specified in the Schedules annexed to the Notifications of the Government of India in the Ministry of Commerce numbers S.O. 3975 and S.O. 3978 both dated the 20th December 1965, prior to export of the said Minerals and Ores, at Chennai, subject to the following conditions, namely:—

- (i) that M/s. Essen & Co., Chennai shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores-Group I (Inspection) Rules, 1965 and the export of Minerals and Ores-Group II (Inspection) Rules, 1965;
- (ii) that M/s. Essen & Co., Chennai in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F.No. 5/8/2006/EI&EP]

V. K. GAUBA, Dy. Secy.

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 8 मई, 2007

का.आ. 1402.—तेल उद्योग (विकास) अधिनियम 1974 (1974 का 47) की उपधारा (3) के खण्ड (3) द्वारा प्रदत्त की गई शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री अरुण बालाकृष्णन्, अध्यक्ष एवं प्रबंध निदेशक, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड को तत्काल प्रभाव से दिनांक 1-4-2007 से दो साल की अवधि के लिए, या अगले आदेश जारी होने तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[सं. जी-35012/2/91-वित्त II]

प्रकाश निर्वेतिया, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 8th May, 2007

S.O. 1402.—In exercise of the powers conferred by Clause (c) of sub-section (3) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Arun Balakrishnan, Chairman & Managing Director, Hindustan Petroleum Corporation Limited as a Member of the Oil Industry Development Board with effect from 1-4-2007 for a period not exceeding two years or until further orders, whichever is earlier.

[No. G-35012/2/91-Fin. II]

PRAKASH NEVATIA, Under Secy.

नई दिल्ली, 8 मई, 2007

का.आ. 1403.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 229 तारीख 19-01-2007 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा तमिलनाडु राज्य में रमनाड जी.सी.एस. से रीजेन्सी पॉवर प्लांट पाइपलाइन परियोजना के माध्यम से प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 20-03-2007 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में जनता से कोई आक्षेप प्राप्त नहीं हुए;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और सक्षम प्राधिकारी ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पर पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया)

लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल (हेक्टर में)
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1	2	3	4	5
रमनाड	रमनाड	53. वलन्थरवई	94-3	0.02.0
			94-4ए1	0.02.0
			94-5ए	0.07.0
			95-4ए	0.12.0
			95-5ए	0.11.0
			95-5बी	0.04.0
			95-6ए	0.04.5
			95-6बी	0.04.5
			95-6सी	0.01.0
			92-1	0.02.0जी.पी.
			92-2	0.09.0
			92-5ए	0.06.5
			92-5बी	0.06.0
			92-9ए	0.02.0
			92-10	0.11.0
			92-3	0.02.0
			90-4बी	0.15.5
			90-6	0.04.0
			90-5	0.09.0
			89-2	0.10.0
			89-3पी.टी.	0.10.0
			89-5	0.05.0
			89-6सी	0.02.0
			87-1बी	0.02.0
			87-2	0.10.5
			65-1बी1ए	0.01.0
			65-1बी1सी	0.03.5
			65-1बी2बी	0.40.0
			65-1बी2सी	0.03.0

1	2	3	4	5
रमनाड	रमनाड	53. वलन्थरवई	65-2सी	0.02.0
			68-2	0.09.0
			68-3	0.10.5
			69-4	0.23.0
			76-7	0.05.5
			76-8ए1	0.08.0
			76-8ए2	0.07.0
			76-8बी	0.02.0
			76-9	0.02.5जी.पी.
			75-1	0.14.0
			75-2	0.08.0
			74-2बी	0.02.0
			74-2सी	0.04.0
			74-2ई	0.07.0
			74-3ए	0.07.0
			74-3बी1	0.01.0
			74-3बी2	0.04.0
			74-4बी	0.02.0
			74-5	0.08.0
			77-1	0.02.0जी.पी.
			77-2ए	0.01.0
			77-3ए1	0.02.5
			77-4ए1	0.04.5
			77-5ए	0.04.0
			78-2ए	0.15.0
			78-2बी	0.17.5
			78-2सी	0.13.0
			योग	3.52.0

रमनाड	रमनाड	52. कुसावनकुडी	110-1ए	0.25.0
			109	0.09.0जी.पी.
			108-3ए	0.17.0
			108-3बी	0.02.5
			108-3सी	0.05.0
			108-3डी	0.05.0
			108-5	0.16.5
			94	0.38.5जी.पी.
			93-3बी2	0.01.0
			93-2बी	0.00.5

1	2	3	4	5	1	2	3	4	5
रमनाड	रमनाड	52. कुसावनकुडी	93-2सी1	0.02.5	रमनाड	रमनाड	18. कालुहुरानी	196-2सी	0.11.0
			93-2सी2	0.02.5				194-2सी	0.08.0
			30	0.09.0				194-5	0.04.0
			29-1बी	0.04.5				194-6ए	0.11.5
			29-1सी2	0.02.0				194-6बी	0.03.5
			29-2बी1	0.00.5				201-1बी	0.13.0
			36-4	0.08.0				201-1सी1	0.08.5
			36-5	0.04.0				201-1सी2	0.02.0
			37-10	0.20.5				201-5ए2	0.03.5
			26-1	0.18.5				201-7	0.06.5
			26-5	0.39.0				193-7	0.03.5
			25-1ए	0.12.0				193-11	0.13.0
			25-3ए1	0.08.0				193-8	0.05.0
			25-3ए2	0.09.0				193-9	0.05.0
			25-3बी1	0.02.0				202-2ए	0.35.5
			16-1ए	0.04.0				202-2बी	0.07.5
			16-1बी	0.05.5				203-1	0.02.0जी.पी.
			16-1सी	0.06.5				203-2	0.03.5
			16-1डी	0.06.0				203-3ए	0.13.0
			15-1डी	0.03.0				203-4	0.19.0
			40-1	0.10.0				204-1	0.06.0
			40-3	0.11.5				204-2ए	0.06.0
			46-1ए	0.16.0				204-2बी	0.05.0
			46-2बी	0.11.0				204-3	0.10.5
			41-1ए2	0.06.0				204-4	0.02.0
			46-1ए	0.06.0				204-5	0.06.5
			46-1बी1	0.06.0					
			46-1बी2	0.02.0					
			44-4बी	0.11.0					
			44-1	0.02.0जी.पी.					
			44-3बी1	0.19.0					
			51-2	0.12.0					
			51-3बी	0.13.5					
			51-6	0.18.0					
			51-3सी	0.02.0					
			52-3	0.02.0					
			योग	4.34.5					
रमनाड	रमनाड	18. कालुहुरानी	196-1ए	0.01.0					
			196-1बी	0.11.5					

योग 2.27.0

[फा. सं. एल-14014/17/05-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 8th May, 2007

S.O. 1403.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 229 dated 19-01-2007 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of natural gas through Ramnad GCS

to Regency Power Plant pipeline project in the State of Tamilnadu by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on or before 20-03-2007.

And whereas no objections were received from the public to the laying of the pipeline;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government.

And whereas the Central Government has, after considering the said report, decided to acquire the Right of User in the lands specified in the Schedule;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of the declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for R.O.U. (in Hect.)
1	2	3	4	5
Ramnad	Ramnad	53. Valan-tharavai	94-3	0.02-0
			94-4A1	0.02-0
			94-5	0.07-0
			95-4A	0.12-0
			95-5A	0.11.0
			95-5B	0.04.0
			95-6A	0.04.5
			95-6B	0.04.5
			95-6C	0.01.0
			92-1	0.02.0GP.
			92-2	0.09-0
			92-5A	0.06.5
			92-5B	0.06.0
			92-9A	0.02.0
			92-10	0.11.0
			92-3	0.02.0
			90-4B	0.15.5

1	2	3	4	5
Ramnad	Ramnad	53. Valan-tharavai	90-6	0.04.0
			90-5	0.09.0
			89-2	0.10.0
			89-3PT	0.10.0
			89-5	0.05.0
			89-6C	0.02.0
			87-1B	0.02.0
			87-2	0.10.5
			65-1B1A	0.01.0
			65-1B1C	0.03.5
			65-1B2B	0.40.0
			65-1B2C	0.03.0
			65-2C	0.02.0
			68-2	0.09.0
			68-3	0.10.5
			69-4	0.23.0
			76-7	0.05.5
			76-8A1	0.08.0
			76-8A2	0.07.0
			76-8B	0.02.0
			76-9	0.02.5GP
			75-1	0.14.0
			75-2	0.08.0
			74-2B	0.02.0
			74-2C	0.04.0
			74-2E	0.07.0
			74-3A	0.07.0
			74-3B1	0.01.0
			74-3B2	0.04.0
			74-4B	0.02.0
			74-5	0.08.0
			77-1	0.02.0GP
			77-2A	0.01.0
			77-3A1	0.02.5
			77-4A1	0.04.5
			77-5A	0.04.0
			78-2A	0.15.0
			78-2B	0.17.5
			78-2C	0.13.0
TOTAL				3-52-0

1	2	3	4	5	1	2	3	4	5
Ramnad	Ramnad	52. Kusavan kudy	110-1A	0.25.0	Ramnad	Ramnad	52. Kusavan kudy	44-3B1	0.19.0
			109	0.09.0 GP				51-2	0.12.0
			108-3A	0.17.0				51-3B	0.13.5
			108-3B	0.02.5				51-6	0.18.0
			108-3C	0.05.0				51-3C	0.02.0
			108-3D	0.05.0				52-3	0.02.0
			108-5	0.16.5				TOTAL	4.34.5
			94	0.38.0 GP			18- Kaluho-orani	196-1A	0.01.0
			93-3B2	0.01.0				196-1B	0.11.5
			93-2B	0.00.5				196-2C	0.11.0
			93-2C1	0.02.5				194-2C	0.08.0
			93-2C2	0.02.5				194-5	0.04.0
			30	0.09.0				194-6A	0.11.5
			29-1B	0.04.5				194-6B	0.03.5
			29-1C2	0.02.0				201-1B	0.13.0
			29-2B1	0.00.5				201-1C1	0.08.5
			36-4	0.08.0				201-1C2	0.02.0
			36-5	0.04.0				201-5A2	0.03.5
			37-10	0.20.5				201-7	0.06.5
			26-1	0.18.5				193-7	0.03.5
			26-5	0.39.0				193-11	0.13.5
			25-1A	0.12.0				193-8	0.05.0
			25-3A1	0.08.0				193-9	0.05.0
			25-3A2	0.09.0				202-2A	0.35.0
			25-3B1	0.02.0				202-2B	0.07.5
			16-1A	0.04.0				203-1	0.02.0 GP
			16-1B	0.05.5				203-2	0.03.5
			16-1C	0.06.5				203-3A	0.13.0
			16-1D	0.06.0				203-4	0.19.0
			15-1D	0.03.0				204-1	0.06.0
			40-1	0.10.0				204-2A	0.06.0
			40-3	0.11.5				204-2B	0.05.0
			46-1A	0.16.0				204-3	0.10.5
			46-2B	0.11.0				204-4	0.02.0
			41-1A2	0.06.0				204-5	0.06.5
			41-1A1	0.06.0				TOTAL	2.27.0
			41-1B1	0.06.0				[F. No. L-14014/17/05-G.P.]	
			41-1B2	0.02.0				S.B. MANDAL, Under Secy.	
			44-4B	0.11.0					
			44-1	0.02.0 GP					

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1404.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 60/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40012/35/2005-आई आर (डी यू)]
सुरेन्द्र सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 16th April, 2007

S.O. 1404.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 60/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Ltd., and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/35/2005-IR (DU)]
SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

PRESENT:

Shri T. Ramachandra Reddy, Presiding Officer

Dated the 15th day of March, 2007

Industrial Dispute No. 60/2005**BETWEEN:**

Sri B. John Nelofer,
C/o P. Appa Rao, Reddy,
District Secretary,
NUBSNLW (FNTO), No. 252,
Labour Colony,
Vidyadharapuram,
Vijayawada-12.

..... Petitioner

AND

The General Manager,
Bharat Sanchar Nigam Limited,
Vijayawada

..... Respondent

APPEARANCES:

For the Petitioner: Nil

For the Respondent: Sri Karoor Mohan, Advocate

AWARD

The Government of India, Ministry of Labour by its order No. L-40012/35/2005-IR(DU) dated 11-8-2005 referred the following dispute under Section 10(1) (d) of the I. D. Act, 1947 for adjudication to this Tribunal between the management of Bharat Sanchar Nigam Limited and their workman. The reference is,

SCHEDULE

"Whether the action of the management of Bharat Sanchar Nigam Limited, Vijayawada is dismissing services of Sri B. John Nelofer, Ex. Casual Labour is justified? If not to what relief is the workman is entitled to?"

1. The reference is numbered in this Tribunal as I.D. No. 60/2005 and notices were issued to the parties.

2. Petitioner called absent. Notice served. Service sufficient. Respondent is represented by Mr. R. S. Murthy, Advocate. In view, of the circumstances 'Nil' Award is passed, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 15th day of March, 2007.

T. RAMACHANDRA REDDY, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1405.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 61/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40012/38/2005-आई आर (डी यू)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1405.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 61/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to

the management of Bharat Sanchar Nigam Ltd., and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/38/2005-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

PRESENT:

Shri T. Ramachandra Reddy, Presiding Officer

Dated the : 15th day of March, 2007

Industrial Dispute No. 61/2005

BETWEEN:

Sri D. Raja Babu,
C/o P. Appa Rao, Reddy,
District Secretary,
NUBSNLW (FNT), No. 252,
Labour Colony,
Vidyadharapuram,
Vijayawada-12

..... Petitioner

AND

The General Manager,
Bharat Sanchar Nigam Limited,
Vijayawada

..... Respondent

APPEARANCES:

For the Petitioner : Nil

For the Respondent : Sri Karoor Mohan, Advocate

AWARD

The Government of India, Ministry of Labour by its order No. L-40012/38/2005-IR(DU) dated 11-8-2005 referred the following dispute under Section 10(1) (d) of the I. D. Act, 1947 for adjudication to this Tribunal between the management of Bharat Sanchar Nigam Limited and their workman. The reference is,

SCHEDULE

"Whether the action of the management of Bharat Sanchar Nigam Limited, Vijayawada is dismissing services of Sri D. Raja, Babu Ex. Casual Labour is justified? If not to what relief is the workman is entitled to?"

1. The reference is numbered in this Tribunal as I.D. No. 61/2005 and notices were issued to the parties.

2. Petitioner called absent. Notice served. Service sufficient. Respondent is represented by Mr. R. S. Murthy, Advocate. In view, of the circumstances 'Nil' Award is passed, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 15th day of March, 2007.

T. RAMACHANDRA REDDY, Presiding Officer

Appendix of evidence

Witnesses examined for the
Petitioner

NIL

Witnesses examined for the
Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1406.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 31/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40012/108/2005-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1406.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Ltd., and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/108/2005-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

PRESENT:

Shri T. Ramachandra Reddy, Presiding Officer

Dated the : 15th day of March, 2007

Industrial Dispute No. 31/2006

BETWEEN:

Smt. Y. Padma,
C/o L. Vijaya Kumari,
H. No. 5-6-9, Laxmidevipeta,
Anakapalle (PO)
Visakhapatnam

..... Petitioner

AND

The General Manager,
Bharat Sanchar Nigam Limited,
Telecom District,
Visakhapatnam

..... Respondent

APPEARANCES:For the Petitioner: **Nil**For the Respondent: **Sri M. C. Jacob, Advocate****AWARD**

The Government of India, Ministry of Labour by its Order No. L-40012/108/2005-IR(DU) dated 24-5-2006 referred the following dispute under Section 10(1) (d) of the I. D. Act, 1947 for adjudication to this Tribunal between the management of Bharat Sanchar Nigam Limited and their workman. The reference is,

SCHEDULE

"Whether the action of the management of M/s. Bharat Sanchar Nigam Limited, represented by General Manager, Telecom District, Visakhapatnam in terminating the services of Smt. Y. Padma, Ex-Part Time Scavenger/Casual Labour, w.e.f. 8-10-2002 is legal and justified? If not to what relief she is entitled to?"

1. The reference is numbered in this Tribunal as I.D. No. 31/2006 and notices were issued to the parties.

2. Petitioner called absent. Notice returned with service. Notice to Petitioner was also served previously by fresh notice issued and postal stamp was not filed. Service against the Petitioner sufficient. Respondent represented by Mr. R. S. Murthy, Advocate. In view, of the circumstances 'Nil' Award is passed, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 15th day of March, 2007.

T. RAMACHANDRA REDDY, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL**NIL****Documents marked for the Petitioner****NIL****Documents marked for the Respondent****NIL**

नई दिल्ली, 16 अप्रैल, 2007

का.अ. 1407.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार जवाहर नवोदय विद्यालय के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी/236/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/91/2000-आई आर (डी. यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1407.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/NGP/236/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jawahar Navodaya Vidyalaya and their workman, which was received by the Central Government on 16-4-2007.

[No. L-42012/91/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI A. N. YADAV PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/236/2000 Date: 30-3-2007

Petitioner:	Shri Suresh S/o Keshav Makde,
Party No. 1	R/o Dhore Babuji's House At & P.O. Talodhi (Balapur), Tah Nagbhid, Distt. Chandrapur (MS).

Versus

Respondent/ Party No. 2	The Principal, Jawahar Lal Navodaya Vidhyalaya Talodhi (Balapur), Tah, Nagbhid, Distt Chandrapur
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AWARD

(Dated: 30th March, 2007)

1. The Central Government after satisfying the existence of disputes between Shri Suresh S/o Keshav Makde, R/o. Dhore Babuji's House At & P.O. Talodhi (Balapur), Tah. Nagbhid, Distt. Chandrapur (M.S.) Party No. 1 and The Principal, Jawahar Navodaya Vidhyalaya, Talodhi (Balapur), Tah. Nagbhid, Dist. Chandrapur Party No. 2 referred the same for adjudication to this Tribunal vide its Letter No. L-42012/91/2000/IR(DU) Dtd. 09-08-2000 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the Management of Principal, Jawahar Navodaya Vidhyalaya, Talodhi (Balapur), Distt. Chandrapur in terminating Shri Suresh S/o Keshav Makde, Ex-Mess Helper, Jawahar Navodaya Vidhyalaya is legal, proper and justified? If not, to what relief the workman is entitled and from which date?"

3. The petitioner has challenged his termination w.e.f. 20-10-1997. He approached to ALC by raising a dispute that he was appointed by a respondent Jawahar Navodaya Vidhyalaya as a Mess Helper. He performed a work of permanent nature. He was continued upto 20-10-1997 on which he was terminated. As per notification

Dt. 29-10-1988 & 16-11-1988 the Government has issued instructions in respect of payment of wages to the daily wage employee. The respondent has issued a letter stating the post of Cooker and Helper has been created and sanctioned. The said communication describes the pay scale for those post. According to him he was appointed on a clear, vacant, sanctioned post without giving any order w.e.f. 03-07-1995. He has completed more than 240 days of continuous service without any break and has acquired status of permanent employee. Initially he was paid Rs. 350 but later on increased to Rs. 420. The respondent instead of making him permanent issued a termination notice Dt. 20-09-1997 without complying the provisions of Section 25F and 25G of I. D. Act. It was obligatory to pay retrenchment compensation to him. However, it was not paid. Similarly the seniority list was not displayed as is required U/s 25F & 25G of I. D. Act. One Shri Diwakar Namdeo Shende junior to him has been continued in service and even promoted to the post of head cook. Several workers have been regularized. Even though they were not appointed through employment exchange. Finally he has prayed to reinstate him in the service by setting aside the termination order Dt. 20-09-1997 and also grant a consequential relief of a full back wages.

4. The management (Respondent) Jawahar Navodaya Vidhyalaya filed the Written Statement denying the contents of the Petitioner. It has denied that the petitioner was appointed on a sanctioned and vacant post. He was appointed only as a casual labour and it has denied that he completed more than 240 days in a continuous service without having any break and thereby acquired a status of permanent employee. It has admitted that the termination notice Dt. 20-09-1997 issued to him and his services were terminated from 20-10-1997. It has also denied that the petitioner also entitled for retrenchment compensation. Shri Diwakar Namdeo Shende was appointed on the post of Cook. According to the respondent there are only 2 sanctioned post one of a cook and another of helper for the mess work the additional workers are required to be engaged from time to time as a casual workers and they are paid from the funds allocated under the head of student's expenditure Board & Lodging. He was engaged for additional work as a casual worker and never against the clear, vacant and sanctioned post. He was not in a continuous service because the mess was remained closed during the summer and winter vacation. The work was not regular and continuous. Hence the question of retrenchment, payment of compensation etc., does not arise. At no point of time the petitioner had worked for 240 days in the calendar year continuously. There were breaks at all time since the work was not available for him. Moreover, the policy decision is taken by the respondent not to engage any casual labour for mess. The work of mess is carried out through the mess contractor and as such the work is not available. The Respondent has finally prayed to dismiss the claim application.

5. On the basis of these pleadings the only points arises for my consideration is :—

“Whether the termination of the petitioner Keshav was legal, proper and justified, if not to what relief the workman entitled for.”

6. The petitioner has examined himself and the management examined its principle. It is undisputed that the petitioner had worked as a casual labour. The disputes are whether he was appointed on a permanent, sanctioned and vacant post? Whether he had served continuously for more than 240 days in one calendar year and he had acquired the status of permanent worker? Whether he was entitled for any retrenchment compensation as alleged? And whether Shri Diwakar Namdeo Shende though was junior to the petitioner was continued and further made a permanent.

7. Both the witnesses have stated on oath as per their contentions. They have not filed any documents except one letter from the Central Government of the year 1988 sanctioning 2 posts one of cook and another of a helper. Though the petitioner is claiming that he has completed more than 240 days in a one calendar year and acquired the status of a permanent worker, no evidence is produced on record to show his working days. According to him the management was expected to maintain the muster roll of casual labour and it has document to show his working days for which he has been paid by it. He had issued a notice to produce the documents but the management is deliberately suppressing it and therefore, an adverse inference should be drawn that the petitioner was in continuous service of the respondent as alleged by him. As against this according to the management it does not maintain any seniority list of the casual workers. The post of the cook and the helper was already filled since even before the sanction they were working as a casual labours. Only 2 posts as indicated above are were sanctioned and therefore, there is no question of appointing the petitioner on any vacant post.

8. It is a fact that there is no evidence to prove that more than one post of the helper has been sanctioned. It is also a fact that it being a school or vidhyalaya, it remains close during the summer and winter vacation. There were no reasons and no work could be available at the time when the schools are closed. In such circumstances it is difficult to believe that the petitioner had continuous service for more than 240 days. No doubt the management has not produced any document in respect to his notice, but it was obligatory on the petitioner to mention the specific dates when he was continuously working. It cannot be believed that he was even engaged during he vacations. According to him he was paid initially Rs. 350 per month and later than it was increased Rs. 420 per month. This itself indicate that he was not on a permanent post or in a permanent vacancy because the pay scale of permanent post is more than Rs. 800. According to the management the additional helper if required were paid from the student's

fund. Therefore, the submission that he was on a permanent post as well as he had worked continuous for more than 240 days cannot be accepted. The petitioner failed to prove that he worked on a sanctioned, vacant post. Initial burden is always on the worker to show that he had acquired the status of permanent worker.

9. Since he has not fulfilled the conditions required for benefit under Section 25F and 25G, there was no need of issuing a retrenchment order. It cannot be treated as a retrenchment, since he has not completed more than 240 days. Similarly Shri Diwakar Namdeo Shende was appointed as a cook by adopting recruitment procedure and selection process as per rules. He cannot be equated with the petitioner who is claiming for the post of helper, therefore, there is no breach of Section 25H, non-production of seniority list etc. In circumstances has no meaning.

10. The petitioner has filed one judgment of the Hon'ble Supreme Court in C. A. No. 3563 of 1979 Dt. 29-4-1980 Santosh Gupta vs. State Bank of India. It was a case of a lady worker who was terminated because she had failed to pass the requisite examination and the Hon'ble Supreme Court observed that this was amounting to retrenchment. However, the facts of that case are totally different than the present case. Here in our case there is no evidence to prove that he has work continuously for more than 240 days and his appointment was against a regular and vacant post. The above case is not of assistance of the petitioner. In the result in my opinion the petitioner is not entitled either for reinstatement or for the back wages. Hence I answered the award in the negative. The reference stands as dismissed.

Hence this award.

Dated: 30-3-2007

A. N. YADAV, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1408.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत डाक विभाग के प्रबंधन के संबंध नियोजकों और उनके कार्किरों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बैंगलूर के पंचाट (संदर्भ संख्या 37/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40011/44/2003-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1408.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. 37/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure to the

Industrial Dispute between the employers in relation to the management of Postal Department and their workman, which was received by the Central Government on 16-4-2007.

[No.L-40011/44/2003-IR (DU)]

SURENDRA SINGH, Desk Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

BANGALORE-560 022

Dated: 2nd April 2007

PRESENT

Shri A.R. SIDDIQUI, PRESIDING OFFICER

C. R. No. 37/2004

I PARTY

The Divisional Secretary

President, Bharatiya Postal

Employees Union,

C/o. BMS Office, Opp. Movie land

Talkies, SC Road,

Bangalore

II PARTY

The Senior Superintendent,

Railway Mail Service Office,

Sorting Division, Gandhinagar,

Bangalore -09

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute *vide* order. No.L-40011/44/2003-IR(DU) dated 21st June 2004 for adjudication on the following schedule:

SCHEDULE

"Whether the Postal Department is justified in not regularizing the services of 81 employees w.e.f 30-8-1988 whose names are found in the Seniority List of T/S Mazdoors and Contingent Staff as on 30-9-1999 issued by the Senior Superintendent RMS Bangalore Sorting Division, Bangalore starting from Sr. No.11 with Shri Manjunath, Temporary Status Mazdoor till Sr. No.91 ending with Shri Venkatesh II, Temporary Status

Mazdoor (List enclosed)? If not, to what relief the workmen are entitled? Whether the management is justified in not paying bonus for the T/S Mazdoors for the years 2000-01 and 2001-02 in line with the Group D employees? If not, to what relief the workmen are entitled? Whether the management is justified in not paying overtime allowance

as per rules applicable to permanent Group D employees? If not, to what relief the concerned workmen are entitled?"

2. The first party workmen through the employees of Railway Mail Services (RMS) represented by the Divisional Secretary/President, Bharatiya Postal Employees Union, Bangalore have filed their claim statement urging among other grounds that they have put in continuous service ranging from 7 to 20 years and are the victims of exploitation at the hands of the management being the active members of the said union; that all these workmen at Annexure-1 have completed statutory minimum continuous service of 240 days and have been continued to be called as casual workers as against the judgment of the Supreme Court; that the Hon'ble Supreme Court in daily rated casual labour employed under P&T department through *Bharatiya Dak Tar Mazdoor Manch Vs. Union of India* and others reported in 1987 (1) LLJ Page 370 directed the respondents/management to prepare a scheme within eight months from the date of its order on a rational basis for absorbing as far as possible the casual labourers who have been continuously working for more than one year in the Posts and Telegraph Department with a further direction to pay the arrears of the wages to them within 6 months from the date of the order; that in compliance with the directions of Hon'ble Supreme Court, a scheme was drawn up by the department of Post applicable to the employees of the management by circular dated 12-4-1991; that as per the said scheme "temporary status" would be conferred on casual labourers in employment as on 29-11-1989 and who continue to be currently employed and have rendered continuous service of at least one year as they must have been engaged for a period of 240 days (206 days in the case of the offices observing five days week) and that such casual workers engaged for full working hours viz. 8 hours including half an hour lunch break will be paid in fully regularized manner in terms of the pay scale for a regular Group D official including DA, HRA & CCA; that as per this circular seniority list of temporary status Mazdoor and contingent staff as on 30-9-1999 was published by the office of the Sr. Superintendent, RMS, Bangalore, Sorting Division, Bangalore-Memo NO.C-12/99-2000 dated 1-10-1999 and the list comprises of 91 employees, out of which Sr. No. 11 to 91 are the present workmen; that the Supreme Court issued directions to prepare a scheme within 8 months from the day of the order i.e. 27th June 1988 but the union Government brought out the scheme only on 12-4-1991 which is in violation of the Supreme Court Directions. Therefore, the first party workmen are entitled to be regularized w.e.f. the date of the S.C order; that the first party workmen have been performing the job perennial in nature which is being performed by Group D employees but they are denied equal pay for equal work. They are being denied the vacancies arising in Group D which are being filled in by Postal Group D employees; that the first party workmen were paid bonus on par with the other employees of the management for, the years 2001-02 and

2002-03 and not for the year 2000-01 and for the reasons best known to the management, the bonus paid to them from 1997 to 2003 is now being recovered in installments of Rs.200, 300 and Rs. 400 respectively from March 2004; that the first party workmen have been compelled to do overtime work and as per the rules they are to be paid Rs. 40 per hour calculated on the basis of monthly wages divided by 26 days further divided by 8 hours and thereafter doubling the resultant. But the management has been paying the first party workmen at the rate of Rs. 15 per hour which was again reduced to Rs. 12.50 per hour; that as against this exploitation the workmen approached their union and the union then wrote a letter dated 16-1-2003 requesting the management to confer permanent status and to pay bonus and overtime wages in accordance with law. There was no reply from the management and therefore, the first party approached the Labour and Conciliation Officer and on account of conciliation efforts being failed, a failure report was made to the Government resulting into the present reference; that the management is not justified in not regularizing the services of the first party workmen whose names are found in the above said seniority list and denying bonus and overtime wages to them as per the rules which act of the management is violative of Articles 14, 16, 21 and 23 of the Constitution of India and also amounts to contempt of court there being no compliance with mandate of the Supreme Court; that the action of the management is in violation of the principles of natural justice amounting to unfair labour practice and victimization particularly, in view of the fact that service conditions of the 'temporary status' casual workers in all respects are the same as of the Group 'D' employees. Therefore, the first party workmen requested this tribunal to pass an award regularizing their services w.e.f. 30-8-1988, to pay the bonus for the year 2000-01, stop the recovery of bonus already paid to them and to pay overtime wages as per the rules along with the arrears due to them.

3. The management by its Counter Statement in the first instance contended that it is not an "Industry" keeping in view the principles laid down by their Lordship of Supreme Court in *Kamlesh Kumar* case and *Himansu Kumar* case, this court has no jurisdiction to entertain the present dispute. It also contended that the present first party union is not the recognized union to raise the present dispute and that such a dispute if at all is to be raised, it is to be raised before the CAT, Bangalore and therefore, on this count also the reference is not maintainable. At Para 4 of the Counter Statement the management contended the scheme of grant of 'temporary status' and regularization was drawn up by the department of posts w.e.f. 29-11-1989 in accordance with the Supreme Court Orders dated 29-11-1989 and therefore, the matter once again cannot be raked up and the dispute is fit by principle of res-judicata. It is also barred by limitation for the reason that the scheme came into effect on 29-11-1989 by an order of the dispute dated 12-4-1991 and whereas the present dispute is raised after a lapse of period of 13 years from the date of

introduction of the scheme particularly, in view of the principle laid down in *UOI Vs. Mohan Pal* [2002 SCC(L&S)577] that it is not an ongoing scheme. At para 6, the management contended that the grant of temporary status to casual labourer is not automatic to all the casual labourers who are on the rolls as on 29-11-1989. One of the main condition to be satisfied for conferment of 'temporary status' is that the casual labourers who are on the rolls should have completed 240 days of 8 hours work as on the date of conferment with grant of temporary status to all the 81 casual labourers (first party workmen) are from different dates between 1-12-1989 to 1-1-1998 depending upon their completion of 240 days of 8 hours work. Prior to these dates the casual workers were only part time employees and in this respect the Hon'ble Supreme Court in *Sakkubai* case held that such part time casual labourers are not eligible for grant of temporary status under the scheme; that the workman at Sr.No.53, *Shashiprabha* had approached the Central Administrative Tribunal in OA No.321/2001 for conferring temporary status w.e.f. 1-12-1989, the date from which the other 1 to 10 employees were given the temporary status. The CAT, Bangalore dismissed the application and the present workmen 'who had challenged the CAT judgement before the Hon'ble High Court; that the claim of the first party workmen for grant of bonus for the year 2000-01 also is not maintainable in view of the decision of the CAT Bangalore in OA No. 1517 & 1577-1646/2000 for grant of bonus on par with Group 'D' employees of the department through they were paid bonus applicable to casual labourers. Above said application was dismissed by the larger bench of the CAT and the Writ Petitions filed by the first party workmen challenging the said order were dismissed by the Hon'ble High Court vide order dated 9-7-2003. Therefore, the first party employee once again cannot agitate the said matter in this tribunal; that the first party employees were paid bonus on par with Group 'D' employees against the normal rate applicable to the casual labourers between 1997 and 2003 and therefore, the excess paid bonus was proposed to be recovered in the light of the aforesaid decision of the High Court holding that they are eligible only for casual labour rate of bonus; that the first party employees are paid overtime wages at hourly rate of Rs.12.50 which is equivalent to the regular/permanent Group D employees. The OTA is governed by the rules of the department and is a policy matter. The rates of OTA were the issues decided by the 5th Pay Commission report and the Hon'ble Supreme Court in number of decisions held that such issues of 5th Pay Commission cannot be agitated in courts. There is no discrimination between the classes within and hence the claim of the first party workmen is not maintainable.

4. The first party workmen filed their rejoinder to the Counter Statement filed by the management contending that the management is an 'Industry' and they are the workmen and that the first Party union is a recognized union and that even if the first party union is not a recognized union, a minority union also can raise the

dispute as recognized by the Hon'ble Supreme Court; that the scheme framed has been implemented only partially; that the matter was under regular process through correspondence and there is no question of delay particularly, when the seniority list was circulated only in the year 1999; that the directions of Supreme Court are not complied with as the employees at Sr.No.1 to 10 as per seniority list only were given benefits denying similar benefits to the employees at Sr.No.1 to 81; that the case of *Shashiprabha* involved different facts and different issue, so decision in the said case is not applicable to this case; that the bonus already paid cannot be recovered back in the light of the aforesaid decision of the Hon'ble High Court as contended by the management.

5. During the course of trial, the management filed affidavit by way of evidence of one Mr. C. Ramdas Kamath said to have been working as Sr. Superintendent, Railway Mail service and in his affidavit he after having repeated the various contentions taken by the management in its counter statement added to say that the casual labourers who have been conferred 'temporary status' with effect from the dates noted against them have been given all the benefits and that the quantum of their appointment to the Group D vacancies would be governed by Para 7 of the 'scheme' according to which their appointments to Group D vacancies as when it occurred would be governed by the Extant Recruitment Rules stipulating preference to eligible extra departmental employees as per the existing Recruitment Rules framed under Article 309 of the Constitution, the appointment of casual labourers to Group D vacancies is limited to 25% of the vacancies that assigned for the particular year as cleared by the Screening Committee. In his examination chief, Xerox copy of the scheme, copy of the existing recruitment rules, two orders on payment of bonus and departmental orders on overtime wages were produced and marked at EX.M1 to M5 respectively.

6. On behalf of the first party workmen, one Mr. S. S. Hullur has filed affidavit reiterating the averments made in the Claim Statement filed by the first party workmen referred to supra. In his further examination chief 10 documents were produced and marked at EX.W1 to W10 (Sl.No. 1 to 9) shown in the list of the documents. I would like to come to the statements of MW1 and WW1 in their cross examination and the documents marked by the respective parties as and when found relevant and necessary.

7. Learned, counsel for the respective parties have filed their written arguments and also put forth their oral arguments. The sum and substance of the arguments advanced for the management is to the effect that consequent upon the Supreme Court orders, the scheme of grant of temporary status and regulation was drawn up by department of Post w.e.f. 29-1-1989 and these temporary status Casual labourers namely, the present workmen who have been conferred with temporary status on different dates have been given all the benefits as per the scheme and that their appointment to Group D vacancies is

governed by aforesaid para 7 of the scheme and the recruitment rules framed under Article 309 of the constitution as noted above. With regard to the claim of the first party about the grant of bonus and overtime wages, contentions already taken by the management in the counter statement have been repeated by way of arguments. Once again the aforesaid decisions of the Supreme Court and the High Court of Karnataka have been referred by way of arguments to dismiss the reference on hand on the ground that it is not maintainable either on fact or on law.

8. Learned counsel for the first party in her arguments once again referred to the decision of their Lordship of Supreme Court and contended that as per the said decision, the first party workmen are entitled to get their services regularized particularly, in the light of their long drawn service and discharging of permanent nature of work. She also contended that as per the judgment of Supreme Court, the first party workmen are entitled to all the benefits of Group D employees. She quoted decisions reported in 1998 LLR8, 1988 1 LLJ 225, 1998(L) LLN 326(SC) supporting her contention that the management is an "Industry" as defined under the ID Act.

9. After having gone through the records, I do not find substance in the arguments advanced for the first party workmen.

10. Now, coming to the first relief of regularization of services of the first party workmen sought for on the basis of the aforesaid judgment of the Hon'ble Supreme Court reported in 1987 1 LLJ page 370 and the 'scheme' framed pursuant to the directions made by their Lordship of Supreme Court in their judgement dated 12-4-1991, their lordship of Supreme Court at the end of Para 10 of the said judgement observed as under:

"We therefore, direct the Respondent to prepare a scheme on a rational basis for absorbing as far as possible the casual labourers who have continuously working for more than one year in the Posts & Telegraph department".

11. At Para 11, it was observed as under:

"Arrears of wages payable to the casual labourers in accordance with this shall be paid within four months from today. The respondent shall prepare a scheme absorbing the casual labourers as provided above within 8 months from day".

12. The fact that in the light of the aforesaid directions by their Lordship of Supreme Court, the management framed the scheme dated 12-4-1991 as per EX.M1 produced before this tribunal conferring temporary status of the casual labourers in the employment as on 29-11-1989 and who continued to be currently employed and have rendered services of atleast one year are engaged for a period of 240 days is not disputed and cannot be disputed

by the first party workmen. The contention of the first party workmen that the scheme as such was not in accordance with the directions given by the Supreme Court and that since the scheme has not been framed within 8 months as per the directions, in my opinion will not be carrying much weight when undisputedly, the claim of the first party workmen seeking the relief of regularization of their services as could be read from the averments in the claim statement, is very much based upon the above said scheme framed in pursuance to the directions issued by their Lordship. Moreover, as per the scheme the first party workmen have been conferred with temporary status w.e.f. 1-12-1989 onwards, the scheme being given effect to from 29-11-1989 onwards. Therefore, the first party workmen cannot made any grievance as far as the fact that they have been conferred temporary status with respect to the dates mentioned against their names in the list of the workmen annexed to the reference schedule.

13. Now, the only question to be decided is whether as per the above said scheme, the first party workmen are entitled to get their services regularized on permanent basis w.e.f. 30-8-1988 as claimed by them. As noted above, Clause 2 sub para (1) of the said scheme is about the conferment of the temporary status upon the casual labourers who were in the employment of the management as on 29-11-1989 and who had continued in the service for a period of more than 240 days. The next relevant clause under the scheme is clause 7 and it reads as under:

"Conferment of Temporary status does not automatically imply that the casual labourers would be appointed as a regular Group D employees within any fixed time frame. Appointment to Group D vacancies will continue to be done as per the extant Recruitment Rules, which stipulate preference to eligible ED employees."

14. Therefore, from the reading of the above said clause, it becomes crystal clear that conferment of temporary status does not automatically imply that the casual labourers will be appointed as regular Group D employees within any fixed time frame. Their appointment to Group D vacancies as per the said clause will be subject to the vacancies as and when they occurred and they further will be governed by Extant Recruitment Rules, which stipulate the condition to give preference to eligible Extra Departmental employees. Therefore, in the face of the aforesaid clause, it is not understandable as to on what basis and under what provision of the said scheme, the first party have staked their claim to be regularized as permanent employee of the management. As per the existing recruitment rules, copy of which was produced by the management at EX.M2 framed under Article 309 of the Constitution, their appointment is limited to 25 per cent of the vacancies that arise in the particular recruitment year as cleared by the Screening Committee. It is the case of the first party that though as per the aforesaid seniority list of the year 1999, the casual labourers at Sl. No. 1 to 10 have

been regularized in service but the casual workers at Sr.No.11 to 91 namely, the first party workmen have not been given the benefits of regular workers. As noted above, it is the case of the management that such of the casual workers will be given permanent and regular status of the employee depending upon the vacancies arising in a particular year and cleared by the Screening Committee, that too, giving preference to the extra departmental employees and limiting the said appointment to the extent of 25 percent of the vacancies. There is no case of the first party workmen that the aforesaid provisions in the scheme and the rules framed under Article 309 of the Constitution have not been complied with by the management and that their services have not been regularized despite the fact that the vacancies occurred and they were eligible to be considered for the said purpose. The fact that the first party workmen are in the service of the management for about a period ranging between 15 to 20 years doing perennial nature of the work or the work which is being carried out by the permanent employees will not give them any right to seek the relief of absorption of their services by the management on permanent basis. This Position of law on this aspect has been very much settled by their Lordship of Supreme Court in a latest decision reported in AIR 2006 SC page 1806 in the case of Secretary, State of Karnataka & others Vs Umadevi & others. Now, therefore, in order to succeed in the present case to get the relief in question, the first party workmen could not have taken shelter under any rules or under any law except under the aforesaid scheme framed under the directions given by their Lordship of Supreme Court in the case referred to supra. As seen above, as per the Clause 2 there is a very clear provision with regard to the conferment of temporary status upon the casual labourers and whereas as per clause 7 it is made clear in the said scheme that conferment of temporary status automatically will not imply that they would be appointed as a regular Group D employee within any fixed time frame. As noted above, as per the existing rules framed under Article 309 of the Constitution there are certain conditions to be fulfilled in order to fill up the vacancies arising in the particulars recruitment year to be cleared by the Screening Committee. Therefore unless the first party workmen made out a case before this tribunal that the management did not comply with the provisions of the aforesaid scheme and the rules framed under Article 309 of the Constitution in not regularising their services, they cannot succeed in getting the relief asked for. The various documents produced by the first party workmen marked at Ex.W1 to W10 will not come to their rescue in making out the case in their favour in getting the aforesaid relief. Ex.W1 is the copy of the letter dated 26-2-1992 to show that certain employees have been conferred with temporary status w.e.f. 1-12-1989, 1-12-1990 and 1-1-1991. Ex.W2 is the copy of the letter dated 21.2.2000 granting trade union facilities. Ex.W3 is the letter dated 17-2-2003, nomination for the post of working committee member on behalf of the first party union. Ex.W4 is the representation given by the Divl. Secretary to the Member, Postal Board,

New Delhi making a request that the first party should be made permanent on par with Group D employees after completion of 3 years service in that temporary status. Ex.W5 is none other than Ex.W1. Ex.W6 is the order dated 11-1-1999 regularizing the services of certain employees after they completed 3 years of service as temporary status employee. Ex.W7 is the letter dated 5-2-1985 in favour of one of the first party workmen Subhps Chandra Shivappa Hullar selecting him as a Mazdoor. Ex.W8 is another such order in favour of Shri Muni Kanan. Ex.W9 is the seniority list dated 30-9-1999 mentioning the names of 91 workers giving particulars of date of birth, date of appointment and date of conferment of TS and EX.W10 are the two representations, one by the President of the Union and the another by the General Secretary of the Union making similar requests to regularize the services of the first party workmen as Group D employees since they completed service of 3 years after being conferred the temporary status. Therefore, these documents do not take their case in further.

15. As seen above, the very fact that the first party workmen have been conferred with temporary status will not give them a right to claim regularization of their services as Group D employees as per clause 7 of the scheme. It has been further read from the said clause that regularization of services of such of the workers with the Temporary Status will be subject to the vacancies occurring in a particular recruitment year. It is also seen above, the rules framed under Article 309 of the constitution putting certain conditions for the purpose of regularization of the services of the casual workers already conferred with temporary status. In the present case the first party workmen have not made out their case that as per the above said scheme and the rules framed under Article 309 they are entitled to get their services regularized and as already noted above, to claim the relief in question the first party workmen will have to establish their right within the four corners of the said scheme and the rules framed under, Article 309 of the constitution as otherwise the position of law in the aforesaid Umadevi case is very much well settled to say that no casual workers can be absorbed in service permanently unless their appointment is in accordance with law. The contention of first party that they have completed 3 years of service after conferment of temporary status and therefore, they must be regularized in services is very much misconceived. Clause 8 of the said scheme makes it abundantly clear that such of the casual workers who rendered 3 years of continuous service after conferment of temporary status would be treated at par with temporary Group D employees for the purpose of contribution to General Provident Fund, will be eligible for grant of Festival Advance/Flood Advance on the same conditions as are applicable to temporary Group D employees. Therefore, completion of 3 years service after conferment of TS will be giving no right to the first party workmen to seek the relief of regularisation of their services as of right but as per the clause 7 of the same scheme read with rules framed under Article 309 of the constitution. In the result, I must hold that the first party workmen are not entitled to the relief of

regularisation of their services i.e. w.e.f 30-8-1988 as claimed by them. Though apparently the first party workmen have raised their claim of regularisation on the aforesaid scheme have also taken self conflicting contention saying that the scheme is not framed as per the directions of their Lordship of Supreme Court in the aforesaid decision. This contention must fail for the reason that they have not challenged the scheme as such at any point of time much less within reasonable time though it was framed as far back as 1991. Therefore, viewed from any angle, the first party workmen are not entitled to the relief of regularisation i.e. under the said scheme or otherwise.

16. Now, coming to the second Part of the reference schedule as to "whether the management was justified in not paying bonus for the T/S Mazdoors for the years 2000-01 and 2001-02 in line with the Group 'D' employees". It was well contended and argued for the management that this issue of payment of bonus has been dealt with and controversy on this issue has been put to rest by their Lordship of our Hon'ble High Court sitting in the Division Bench. Their Lordship vide order dated 9-7-2003 in Writ Petition No. 35419 and 42278-443 of 2002 have made the position on the point very clear. It is to be noted that V. Suresh Kumar along with other 66 employees namely, casual workers who happened to be the first party workman in this case had approached the CAT, Bangalore claiming the bonus on par with Group D employees. The matter being referred to the larger bench of CAT, the applications filed by said Suresh Kumar and others came to be dismissed and thereupon these employees approached the Hon'ble High Court in the aforesaid Writ Petitions and their Lordship of Hon'ble High Court at Para 10.5 of the judgment observed the principle laid down in the decision of 'Jagrit Mazdoor Union case' were not to the effect that the casual labourers with temporary status who have put in three years of continuous service are to be treated on par with Group D employees as far as bonus is concerned and therefore, the decision in the said case is of no assistance to the petitioners to claim bonus equivalent to Group D employees. Therefore, as argued for the management the question with regard to payment of bonus to the casual workers having been dealt with and decided once for all by the Division Bench of our Hon'ble High Court, the present relief with regard to Bonus sought for by the first party workmen is not grantable and therefore, the management is justified in not paying bonus to the first party workmen as claimed by them.

17. Now coming to the 3rd relief, as to "Whether the management was justified in not paying Overtime Allowance as per Rules applicable to permanent Group D employees". It was well contended by the management that the first party employees are being paid overtime wages at an hourly rate of Rs. 12.50 which is equivalent to the permanent Group D employees. It was well contended by the management that O.T.A is governed by the rules of the department and is a policy matter. Moreover, the rates of OTA were the issues dealt and decided by the 5th Pay Commission report.

The first party workmen have failed to establish before this tribunal that they are not being paid of OTA on par with permanent Group D employees. The extract of Swamy's Handbook, 2006 produced by the management marked at Ex.M5 is clear on the point that Industrial employees are entitled to OTA at the rate of Rs.12.50 per hour for the extra work done by him. Therefore, on this count also the claim of the first party workmen must fail.

18. The relief sought for by the first party workmen to issue directions to the management to stop recovery of bonus in instalments already paid them between the year 1997 and 2003 is not at all available to the first party workmen as it is not one of the points as per the reference schedule. In the result, and the reasons foregoing reference must fail and hence the following award:

AWARD

The reference stands dismissed. No courts.

(Dictated to PA transcribed by her corrected and signed by me on 2nd April, 2007)

A. R. SIDDIQUI, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1409.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एटोमिक एनर्जी एजुकेशन सोसाइटी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय, हैदराबाद, के पंचाट (संदर्भ संख्या एल सी आई डी-14/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-42025/2/2007-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1409.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. LCID/14/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Atomic Energy Education Society and their workmen, which was received by the Central Government on 16-4-2007.

[No. L-42025/2/2007-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT

Shri. T. Ramachandra Reddy
Presiding Officer

Dated the 16th day of March, 2007

INDUSTRIAL DISPUTE L.C.I.D. NO. 14/2004

BETWEEN:

Sri D. Manoj Kumar,
S/o Late D. Om Parkash,
R/o C-17/17, D.A.E. Colony,
E.C.I.L. (Post), Hyderabad

....Petitioner

AND

1. The Secretary,
Atomic Energy Education Society,
Autonomous Body under the Department
Of Atomic Energy, Government of India,
Central Office, Anushakti Bhawan,
Mumbai.
2. The Assistant Administrative Officer,
Atomic Energy Education Society,
Anushakti Bhawan, Mumbai
3. The Principal,
Atomic Energy Junior College,
D.A.E. Colony, E.C.I.L. (Post),
Hyderabad.

...Respondents

APPEARANCES :

For the Petitioner : Mr. A.K. Jayaprakash Rao,
K. Srinivas Rao, P. Sucha, T. Bal-
reddy, M. Govind, N. Sanjay, K.
Ajay Kumar & Venkatesh Dixit,
Advocates.

For the Respondent : M/s. Nooty Rama Mohana Rao,
Abhinand, K. Shavili, M. Krishna
Rao & K. Srinivasa Prasad,
Advocates.

AWARD

This is a petition filed by the Petitioner Sri D. Manoj Kumar, under Sec. 2A (2) of the Industrial Disputes Act, 1947 against the Management of Atomic Energy Educational Society as R1 and Assistant Administrative Officer as R2, Principal, Atomic Energy Junior College as R3 seeking the relief of reinstatement into service with back wages and this case was taken in view of the judgement of the Hon'ble High Court of Andhra Pradesh reported in 1997 (3) LLJ Supplement, page 1141 in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It is submitted that the Petitioner was joined the service of the third Respondent on 4-7-88 as sweeper and continuously discharging his duties and his services were regularized on 4-7-1989. It is further submitted that the Respondents are not permitting him to discharge duties by order dated 3-7-2003.

3. It is further submitted that on 20-5-2002 he has been transferred to first Respondent and that he filed a Writ Petition before the Hon'ble High Court of A.P. and that the Hon'ble High Court of AP directed him to report before the 1st Respondent before the end of December, 2002. Further, he could not report due to his ill-health.

4. He further submitted that due to his ill-health and family tension and depression he sent his resignation letter on 23-1-2003 without knowing the consequences instead of reporting to duty. There is no response to his communication from respondents regarding accepting his resignation letter and settling of account. Subsequently, on 22-6-2003 he sent another letter withdrawing the resignation letter and requesting to discharge duties. There was no communication from the date of submitting his resignation. Therefore it has to be deemed that his resignation was not accepted. On 3-7-2003 the 2nd Respondent has sent a letter stating that his resignation was processed and accepted by competent authority on 18-2-2003 as such, the withdrawal does not arise. It is further submitted that it is settled law that the resignation submitted by the employee becomes effective and operative only when it is accepted by a competent authority and communicated the same in writing to the employee. Since the Respondent has not fulfilled the conditions, the relationship between the Petitioner and the Respondent as employee and employer exists.

5. The 3rd Respondent filed counter affidavit on behalf of all the Respondent and denied the averments made by the Petitioner. It is submitted that the Atomic Energy Central Schools at Hyderabad are run by Atomic Energy Education Society for short AEES and the Respondent is a society registered under Societies Registration Act, 1860 and also under Bombay Public Trust Act, 1950. It is running about 30 schools at 15 different stations in the country. As per the bye-laws and letter of appointment of AEES all disputes are required to be filed within Mumbai jurisdiction. As such this petition is not maintainable. It is further submitted that the Respondent is not an industry and the Petitioner will not come under the definition of the workman under the Industrial Disputes Act, 1947. As such the petition is not maintainable.

6. The Respondent society was managing four schools at Hyderabad till 1995 in two shifts. But due to sharp decline in the students strength two schools were closed in the year 1995-96 and presently only those two schools were running in a single shift. On account of closing the schools the Respondent was constrained to transfer regular Group D employees instead of retrenching them from service to other institutions. It is further submitted that the Petitioner was appointed at Hyderabad on 4-7-1989 and terms and conditions of the appointment order dated 28-6-1989, it is agreed that any dispute arising out of appointment, Courts at Bombay alone have jurisdiction to decide. It is further submitted that the Petitioner's services were confirmed till he was relieved from his duties by the Respondent consequent on acceptance of his resignation. Previously he was punished for unauthorized absence from duty. It is further submitted that the Petitioner was found surplus in 2002 as such he was transferred to Mumbai by order dated 14-5-2002 and relieved on 20-5-2002 with

direction to report before CAO, AEES, Mumbai. The Petitioner in order to avoid the transfer and relieving order left the place of duty on his own without permission and remained unauthorisedly absent and also filed a Writ Petition No. 9691/2002 before the Hon'ble High Court of A.P. challenging his transfer order. The Hon'ble High Court of A.P. was pleased to dismiss the Writ Petition. The Petitioner filed another Writ Petition No. 16713/2002 before the Hon'ble High Court of A.P. and obtained interim orders dated 23-10-2002 and issued a legal notice dated 13-11-2002 to allow him to discharge his duties at Hyderabad. A reply was sent by AEES clarifying that the Hon'ble High Court of A.P. did not issue any direction to allow the Petitioner to report duty at Hyderabad and informed the Petitioner to report duty at Mumbai at the earliest assuring him that no action will be taken for his unauthorized absence till the end of the academic year. In fact, the Hon'ble High Court of A.P. has given the Petitioner time for joining duty in a new place as transferred by the Respondent.

7. The Petitioner did not choose to join duty but tendered his resignation dated 23-1-2003 on personal grounds. The resignation of the Petitioner was accepted by the competent authority by order dated 18-2-2003 w.e.f. 23-1-2003 and the same was communicated through the Respondent No. 3. The Petitioner was informed on 21-2-2003 regarding the closing balance of his GPF account and advised to fill up relevant formats and send the stamped receipt for arranging the payment. The Petitioner was also asked to vacate the quarter allotted to him and submit no dues certificate for clearing his dues. The Petitioner did not vacate the quarter and failed to submit his no dues certificate. The Petitioner after a gap of 5 months of his resignation which was already accepted and notified by the Respondent on 18-12-2003 has requested in his representation dated 22-6-2003 to allow him to withdraw his resignation letter. The request of the Petitioner was time barred and not within the purview of the rules. He was accordingly informed. It is further submitted that the AEES after receiving the resignation letter from the Petitioner have taken action as per rules and the same was conveyed to the Petitioner from time to time and some of the correspondence has been received by him or by his family members who are staying with him. However, some correspondence was received back as unclaimed and it shows that the Petitioner intentionally avoided receipt of official communications.

8. The Petitioner filed his affidavit in support of his claim and got marked the copies of documents marked as Ex. W1 to W6 as follows: Ex. W1 is the order in No. WP 16713/2002 dt. 12-12-2002. Ex. W2 is Petitioner's resignation letter dated 23-1-2003. Ex. W3 is the representation to Respondent by the Petitioner dated 22-6-2003 withdrawing resignation. Ex. W4 is the Office letter dated 3-7-2003. Ex. W5 is the office letter dated 18-2-2003. Ex. W6 is the letter dated 13-1-2003 of the Respondent.

9. As against his evidence the Respondent filed evidence affidavit of Smt. M. Secta Mahalakshmi, Principal, Atomic Energy Central School-2, Hyderabad and got marked copies of documents Ex. M1 to M30. Ex. M1 is the offer of appointment dated 28-6-89. Ex. M2 is the order of appointment dated 8-8-89. Ex. M3 is the acceptance letter to Ex. M2. Ex. M4 is the AEES transfer order dated 14-5-2002. Ex. M5 is the relieving order dated 20-5-2002. Ex. M6 is the order dated 26-7-2002 in WP No. 9691/2002. Ex. M7 is the order dated 23-10-2002. WPMP No. 25626/2002. Ex. M8 is the legal notice dated 13-11-2002. Ex. M9 is the reply to Ex. M8 dated 21-11-2002 and acknowledgement. Ex. M10 is the AEES letter dated 24-9-2002 issued to Petitioner to report for duty and acknowledgement thereof. Ex. M11 is the order dated 12-12-2002 in WP No. 16713/2002. Ex. M12 is the AEES letter dated 13-1-2003 directing the Petitioner to report for duty and acknowledgement thereof. Ex. M13 is the resignation letter of WW1 dated 23-1-2003. Ex. M14 is the acceptance of Ex. M13 dated 18-2-2003. Ex. M15 is the AEES letter dated 21-2-2003 informing the Petitioner about his PF balance. Ex. M16 is the AEES letter dated 25-2-2003 informing Petitioner to submit no dues certificate. Ex. M17 is the AEES letter dated 25-2-2003 regarding non-submission of no due certificate by the Petitioner. Ex. M18 is the letter dated 22-6-2003 of Petitioner for withdrawal of resignation. Ex. M19 is the AEES letter dated 3-7-2003 informing the Petitioner regarding AEES decision on withdrawal for resignation and acknowledgement thereof. Ex. M20 is the order dated 1-4-97 imposing a penalty on the Petitioner for unauthorized absence. Ex. M21 is the memo dated 31-1-90 issued by Principal AEES-2, Hyderabad for irregular attendance of the Petitioner. Ex. M22 is the memo dated 5-4-1990 of Principal, AEES-2, Hyderabad for absenting from duty in respect of the Petitioner. Ex. M23 memo dated 8-2-92 of Sr. Principal issued to WW1 for unauthorized absence. Ex. M24 is the letter dated 17/18-1-11-1993 of Sr. Principal issued to Petitioner for his unauthorized absence. Ex. M25 is the letter dated 7-12-93 of AEES, Mumbai intimating that the services of the Petitioner is not confirmed. Ex. M26 is the office memo dated 21-11-94 of Principal, AEJC, Hyderabad issued to the Petitioner to report for duty immediately. Ex. M27 is the letter 6-5-95 of Sri Kamal Singh lodging complaints against the Petitioner. Ex. M28 is the Memorandum dated 12-5-95 of Principal, AEJC regarding unauthorized absence of Petitioner. Ex. M29 is the Memorandum dated 2-4-96 of CAO, AEES regarding unauthorized absence of the Petitioner. Ex. M30 is the letter dated 2-11-2000 of the Petitioner requesting AEES to confirm his services.

10. It is not in dispute that Atomic Energy Central Schools at Hyderabad run by Atomic Energy Educational Society (AEES) which is a registered and autonomous body. The said society is running several schools all over the country and four such schools were run by the said society at Hyderabad. On account of decline of students

strength at Hyderabad two schools were closed in the year 1995-96 and only two schools are running by the society. On account of closure of two schools there was surplus staff, as such the Petitioner along with five others was transferred to Mumbai to avoid the retrenchment and he was relieved on 20-5-2002 with a direction to report to CAO, AEES, Mumbai by order dated 20-5-2002 and the Petitioner in order to avoid receipt of the orders lefts the place on his own without permission from the competent authority. As such the relieving orders were delivered at his residence. The Petitioner in order to avoid the transfer filed Writ Petition No. 9691/2002 challenging his transfer order. But the Writ Petition was dismissed, observing that there is no infirmity in the order of transfer, warranting interference by the Hon'ble High Court of A.P. However, it is further observed that the Petitioner is at liberty to make representation to concerned authorities. Subsequently the Petitioner filed Writ Petition No. 16713/2002 after rejecting his representation and obtained interim orders on 23-10-2002. As the Petitioner was not taken for duty at Hyderabad he got issued a legal notice through his advocate stating that he would initiate contempt proceedings. A reply notice by Respondent was issued clarifying the Orders of the Hon'ble High Court of A.P. that the Petitioner has to report duty at Mumbai and assured the Petitioner that no action will be taken for his unauthorized absence till the end of the academic year 2002-2003.

11. It appears since the Petitioner could not get cancellation of his transfer order he submitted his resignation letter dated 23-1-2003 and requested to release the amounts such as PF, Gratuity etc., standing to his credit. The resignation letter was accepted by the competent authority by order dated 18-2-2003 from the date of resignation 23-1-2003 and a notice was also given to the Petitioner stating that Rs. 20,680 approximately is lying in his Provident Fund and directed the Petitioner to send his address and other details including relevant format with stamped receipt duly signed by him. Another notice was also issued to the Petitioner to vacate the quarter. Subsequently Petitioner has signed a letter dated 22-6-2003 withdrawing his resignation on the ground that on account of his starvation and mental agony and realizing the mistake he is withdrawing the resignation and also pleaded that the acceptance of the resignation was not communicated to him.

12. The claim of the Petitioner is that his resignation was not accepted and communicated, he has every right to withdraw the same. As such he is entitled for reinstatement and relied on 1996 LAB.I.C. page 1228, K. Sudha Nagaraj V. The Chief Manager, Andhra Bank and another of Hon'ble High Court of A.P., and 1999(1) CLR page 1188, Hon'ble High Court of A.P., General Manager, Bharat Heavy Electricals Ltd., Research and Development, Hyderabad Vs. K. Rajita Suryakanta.

13. On the other hand the Learned Counsel for the respondent Contended that the resignation letter of the Petitioner was accepted and communicated through the Principal, MW1 and the Petitioner sent his withdrawal of resignation letter after about five months of the acceptance. As such the question of reinstatement does not arise. MW1 has stated that the orders regarding the acceptance of the resignation was served on the Petitioner and subsequently there is a correspondence for vacating the quarter and asking the Petitioner to submit no dues for payment of PF, Gratuity etc. An order dated 25-2-2003 was served on Petitioner and it was acknowledged by Saroj, family member of the Petitioner.

14. It is admitted by the Petitioner he was previously punished for his absenteeism and that he pleaded was not residing in the house for certain period. When the Petitioner was residing in the quarter allotted by the R1 the correspondence has to be served only to his house address. It is stated by the MW1 that some of the official communications were not received by the Petitioner and the same were reported as unclaimed. The evidence on record shows that the resignation of the Petitioner was accepted on 18-2-2003 w.e.f. 23-1-2003. The Principal of the Petitioner also issued letters asking the Petitioner to submit no dues certificate for he payment of GPF etc., and the withdrawal of the resignation letter was sent after five months of the acceptance of the resignation. It was replied by the Respondent that since withdrawal letter of resignation was accepted on 18-2-2003, the question of considering the withdrawal letter of resignation does not arise. Further it is pointed out that clause 3 of sub-rule 4 of rule 26 CCS (Pension) Rules, 1972 specified that, "the period of absence from duty between the date of which the resignation became effective and the date on which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days". In view of the said rule the employee has to withdraw his resignation within three months from the date of his resignation. Petitioner having kept quite for certain long period is not entitled to withdraw his resignation. It should be noted that admittedly there is not animosity between the Petitioner and the Management and further there is not need for the Management to accept the resignation by giving a back date. The letters of correspondence to Petitioner shows the dates and file number and reference. On considering the documents filed by the Respondent I have no hesitation to come to the conclusion that the resignation letter of the Petitioner was accepted on 18-2-2003 and the same was communicated to the Petitioner. The withdrawal of the resignation by the Petitioner is only an after thought.

15. The plea of the Respondent that all disputes arising between the Petitioner and Respondents only Mumbai Courts have jurisdiction is untenable. The Petitioner has filed writ at Hyderabad and the Respondents

have not taken this plea of jurisdiction. Further, the Petitioner who was working at Hyderabad can file claim petition at Hyderabad under Industrial disputes Act, 1947.

16. I do not see any merits in the case of the petitioner. The facts in the rulings relied by the Petitioner are different with the facts of the present case and the same were not applicable. In the result, the petition is dismissed.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her and corrected by me on this the 16th day of March, 2007.

T. RAMACHANDRAREDDY, Presiding Officer

Appendix of evidence

Witnesses examined for the : Witnesses examined
for Petitioner the Respondent

WW1 : Sri D. Manoj Kumar : MW1 : Smt. M. Sita
Mahalakshmi

Documents marked for the Petitioner

- Ex. W1 : Copy of order in WP No. 16713/2002 dt. 12-12-2002.
- Ex. W2 : Copy of WW1's resignation letter dt. 23-1-2003.
- Ex. W3 : Copy of representation to Respondent by W1 dt. 22-6-2003 withdrawing resignation.
- Ex. W4 : Copy of office letter dt. 3-7-2003.
- Ex. W5 : Copy of office letter dt. 18-2-2003.
- Ex. W6 : Copy of letter dt. 13-1-2003 of the Respondent.

Document marked for the Respondent

- Ex. M1 : Copy of offer of appointment dt. 28-6-89.
- Ex. M2 : Copy of order of appointment dt. 8-8-89.
- Ex. M3 : Copy of acceptance letter to Ex. M2 dt. nil.
- Ex. M4 : Copy of AEES transfer order dt. 14-5-2002.
- Ex. M5 : Copy of relieving order dt. 20-5-2002.
- Ex. M6 : Copy of order dated 26-7-2002 in WP No. 9691/2002.
- Ex. M7 : Copy of order dt. 23-10-2002 in WPMP No. 25626/2002.
- Ex. M8 : Copy of legal notice dt. 13-11-2002.
- Ex. M9 : Copy of reply to Ex. M8 dt. 21-11-2002 and acknowledgement.
- Ex. M10 : Copy of AEES letter dt. 24-9-2002 issued to Petitioner to report for duty and acknowledgement thereof.
- Ex. M11 : Copy of order dt. 12-12-2002 in WP No. 16713/2002.
- Ex. M12 : Copy of AEES letter dt. 13-1-2003 directing the Petitioner to report for duty and acknowledgement thereof.

- Ex. M13 : Copy of resignation letter of WW1 dt. 23-1-2003.
- Ex. M14 : Copy of acceptance of Ex. 13 dt. 18-2-2003.
- Ex. M15 : Copy of AEES letter dated 21-2-2003 informing the Petitioner about his PF balance.
- Ex. M16 : Copy of AEES letter dated 25-2-2003 informing Petitioner to submit no dues certificate.
- Ex. M17 : Copy of AEES letter dated 25-2-2003 reg. non-submission of no dues certificate by the Petitioner.
- Ex. M18 : Copy of letter dated 22-6-2003 of Petitioner for withdrawal of resignation.
- Ex. M19 : Copy of AEES letter dated 3-7-2003 informing the petitioner regarding AEES decision on withdrawal for resignation and acknowledgement thereof.
- Ex. M20 : Copy of order dated 1-4-97 imposing a penalty on the Petitioner for unauthorised absence.
- Ex. M21 : Copy of memo dated 31-1-90 issued by principal AEES-2, Hyderabad for irregular attendance of the Petitioner.
- Ex. M22 : Copy of memo dated 5-4-90 of Principal, AEES-2, Hyderabad for absenting from duty in respect of the Petitioner.
- Ex. M23 : Copy of memo dated 8-2-92 of Sr. Principal issued to WW1 for unauthorised absence.
- Ex. M24 : Copy of letter dated 17/18-11-1993 to Sr. Principal issued to Petitioner for his unauthorised absence.
- Ex. M25 : Copy of letter dated 7-12-93 of AEES, Mumbai intimating that the services of the Petitioner is not confirmed.
- Ex. M26 : Copy of office memo dated 21-11-94 of Principal, AEJC, Hyderabad issued to the Petitioner to report for duty immediately.
- Ex. M27 : Copy of letter dated 6-5-95 of Sri Kamal Singh lodging complaints against the Petitioner.
- Ex. M28 : Copy of Memorandum dated 12-5-95 of Principal, AEJC regarding unauthorised absence of Petitioner.
- Ex. M29 : Copy of Memorandum dated 2-4-96 of CAO, AEES regarding unauthorised absence of the Petitioner.
- Ex. M30 : Copy of letter dated 2-11-2000 of the Petitioner requesting AEES to confirm his services.

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1410.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ सी आई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं. 1 चंडीगढ़ के पंचाट (संदर्भ संख्या 201/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/147/1999-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, 16th April, 2007

S.O. 1410.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 201/2003) of the Central Government Industrial Tribunal cum Labour Court, No. 1 Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 16-4-2007.

[No. L-22012/147/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. I. D. 201/2003

Shri Hakam Singh son of Shri Rishal Singh C/F FCI Karamchari Sangthan, BMS Aggarsain Chowk, Mohan Nagar, Kurukshetra.

.....Applicant

Versus

The district manager, Food Corporation of India, Kurukshetra.

.....Respondent

APPEARANCES

For the Workman : Shri Ved Prakash and Arun Batra Advocate.

For the Management : Shri Santokh Singh Advocate.

AWARD

Passed on 29-3-2007

Central Govt. vide notification No. L-22012/147/99-IR(C-II) dated 15-12-2003 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Food Corporation of India, Kurukshetra in terminating the services of Shri Hakam Singh is legal and justified? If not, to what relief he is entitled?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorised representative of the workman Shri Ved Parkash President of the Union withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same the present reference is

returned as withdrawn in Lok Adalat. Central Govt. be informed File be consigned to record.

Chandigarh.

29-3-2007 RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

क्र.आ. 1411.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 चंडीगढ़ के पंचाट (संदर्भ संख्या 95/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-23012/7/2001-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th April, 2007.

S.O. 1411.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 95/2002) of the Central Government Industrial Tribunal cum Labour Court, No. 1 Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 16-4-2007.

[No. L-23012/7/2001-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I CHANDIGARH

Case No. I. D. 95/2002

Sh Ravi Kant son of Shri Bachna Ram, VPO Moujjiwal, Naya Nangal, Ropar

.....Applicant

Versus

The Chief Engineer (Power Wing) Generation, BBMB, Nangal Township, Ropar

.....Respondent

APPEARANCES

For the Workman : None

For the Management : Shri Tara Singh.

AWARD

Passed on 29-3-2007

Central Government vide Notification No. L-23012/7/2001-IR(CM-II) dated 2-5-2002 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of BBMB in termination the services of Shri Ravi Kant son of Shri Bachna Ram w.e.f. 31-5-1993 is legal and justified? If not, to what relief the workman is entitled to and from which date?"

2. Case repeatedly called. None appeared on behalf of workman, Shri Tara Singh AR of the management submitted that workman is not interested as he is not appearing in this case and also not filed claim statement since 5-8-02. He did not appear despite registered court notices. He appears to be gainfully employed and no useful purpose will be served in keeping this case pending. In view of the above, it appears the workman is not interested to pursue with the reference any further, therefore, the present reference is returned to the Central Government for want of prosecution. Central Government be informed File be consigned to record.

Chandigarh.

29-3-2007 RAJESH KUMAR, Presiding Officer
नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1412.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 चंडीगढ़ के पंचाट (संदर्भ संख्या 61/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/159/2005-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1412.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 61/2006) of the Central Government Industrial Tribunal cum Labour Court, No. 1 Chandigarh as shown in the Annexure in the Industrial Dispute between the management of CPWD and their workmen, which was received by the Central Government on 16-4-2007.

[No. L-42012/159/2005-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1
CHANDIGARH**

Case No. I. D. 61/2006

The Zonal President,
All India CPWD (MRM)
Karamchhari Sangathan (Regd.)
CPWD Store Building,
Sector 7-B, Chandigarh

.....Applicant

Versus

The Ex. Engineer,
Chandigarh Central Elect Division,
CPWD, Kendriya Sadan
Sector, 9A, ChandigarhRespondent

APPEARANCES

For the Workman : Shri Raj Kumar Zonal President.
For the Management : Shri G. C. Babbar, Advocate

AWARD

Passed on 29-3-2007

Central Government vide Notification No. L-42012/159/2005-IR(CM-II) dated 6-10-2006 has referred the following dispute to this Tribunal for adjudication :

"Whether the demand of workman Shri Anil Kumar Katra for seeking reinstatement/regularization in the services of Executive Engineer, CCED, CPWD, Chandigarh, with full backwages, w.e.f. 17-5-2004 is legal and justified? If yes, to what relief the workman is entitled to and from which date?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representative of the workman Shri Raj Kumar Zonal President of the Union withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat. Central Government be informed File be consigned to record.

Chandigarh.

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1413.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1 चंडीगढ़ के पंचाट (संदर्भ संख्या 64/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/156/2005-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1413.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 64/2006) of the Central Government Industrial Tribunal cum Labour Court, No. 1 Chandigarh as shown in the Annexure in the Industrial Dispute between the management of CPWD and their workmen, received by the Central Government on 16-4-2007.

[No. L-42012/156/2005-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE SHRI RAJESH KUMAR PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR, COURT-1,
CHANDIGARH****Case No. I. D. 64/2006**

The Zonal President,
All India CPWD (MRM)
Karamchari Sangathan (Regd.)
CPWD Store Building,
Sector 7-B, Chandigarh

.....Applicant

Versus

The Ex. Engineer,
Chandigarh Central Elect. Division,
CPWD, Kendriya Sadan
Sector. 9A, Chandigarh

.....Respondent

APPEARANCES

For the Workman : Shri Raj Kumar Zonal President.

For the Management : Shri G. C. Babbar, Advocate.

AWARD

Passed on 29-3-2007

Central Government vide Notification No. L-42012/156/2005-IR(CM-II) dated 6-10-2006 has referred the following dispute to this Tribunal for adjudication :

"Whether the demand of workman Shri Sunil Kumar for seeking reinstatement/regularization in the services of Executive Engineer, CCED, CPWD, Chandigarh, with full backwages, w.e.f. 21-10-2003 is legal and justified? If yes, to what relief the workman is entitled to and from which date?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representative of the workman Shri Raj Kumar Zonal President of the Union withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh.

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1414.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. एम. पी.

डी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट (संदर्भ संख्या 157/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/139/1993-आई आर (सी-II)]

अजय कुमार गौड, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S.O. 1414.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 157/2000) of the Central Government Industrial Tribunal cum Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CMPDI and their workmen, which was received by the Central Government on 16-4-2007.

[No. L-22012/139/1993-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR****Case No. CGIT/NGP/157/2000****Date: 10-04-2007**

Petitioner/: The Vidharbha General Labour Union,
Party No.1 Throuth its President,
Prof. Kameshchandra Dahiwade,
Bhanapeth Ward,
Chandrapur, (MS)

Versus

Respondent/: The Central Mine Planning & Design
Party No. 2 Institute Ltd.,
Kasturba Nagar,
Jaripatka, Nagpur-440 014

AWARD

(Dated : 10th April 2007)

1. The Central Government after satisfying the existence of disputes between The Vidharbha General Labour Union through its President, Prof. Kameshchandra Dahiwade, Bhanapeth Ward, Chandrapur (MS) Party No.1 and The Central Mine Planning & Design Institute Ltd., Kasturba Nagar, Jaripatka, Nagpur 440 014 Party No.2 referred the same for adjudication to this Tribunal vide its Letter No. L-22012/139/93-IR(C-II) Dt. 26-05-1995 under

Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the Management of CMPDI, RI, IV, Camp, Anandvan in denying employment to Shri P. K. Chikate, Shri P. R. Kamble, Shri Nago Namdeo Mandokar, Shri Deorao Sadhashiv More is legal and justified? If not, to what relief the concerned workmen are entitled to?"

3. The petitioner Vidarbha General Labour Union has raised the disputes on behalf of 4 employees. According to it the petitioner (1) Purushottam Ramchandra Kamble was working from 19-12-1985, (2) Shri Deorao Sadhashiv More from 16-09-1984 (3) Shri Nago Namdeo Mandokar from 26-09-1984 & (4) Shri Pradip Kishan Chikate was working from 19-12-1985 as a coal workers. And from the date of their appointment they were working continuously. There were some allegations against them regarding the misbehaviour with their officers and they were not given the work by the management.

4. It is the case of the petitioner that there was a settlement before the conciliation officer on 14-4-1988 between Koyla Khadan Karmachari Sangh and the Management to give a job of casual nature whenever the vacancy arises after October 1988 to the above 2 persons (1) Shri Pradip Kishan Chikate and (2) Purushottam Ramchandra Kamble. Similarly Koyla Khadan Karmachari Sangh raised a dispute because the services of one Shri Deorao Sadhashiv More were illegally terminated. There was a condition in the settlement that the petitioner should file undertaking in writing that they would not misbehave with the higher officers and would work properly, only on this condition they were to be taken in service as per settlement after 1988 whenever the jobs were available of a casual nature. The workmen have submitted the undertaking as required, however, the management did not implement the term No.2 of the settlement Dt. 14-07-1988. Though the posts were available and were lying vacant. According to the petitioner it is illegal and ultimately they are entitled to the relief of reinstatement w.e.f. 01-11-1988. They are also entitled for consequential benefits i.e. the salary and the back wages from the date of their termination.

5. Further it is also contended that the work of the management is of a continuous nature and the services of the employees are necessary. They were not allowed to be on duty even though they repeatedly reported for it. After signing the settlement in the month of October and November onwards. The settlement was not implemented. It was with the ulterior motive to see that the employees shall not claim a permanency. According to them they have worked for more than 240 days.

6. It is also contended that the management is showing a favour to the other employees who are represen-

ted by another union. In the year 1986 with utter disregard to the settlement as well as the provisions of Section 25F I.D. Act 13 junior workers were regularized by the management. There was an agreement on 27-08-1991 also on the basis of which the 4 workman ought to have been made regular, but the management failed to implement the said agreement. Thus accordingly to it even the retrenchment is illegal, the management is not honouring the settlement by giving them a regular work as agreed. On the contrary they have engaged 13 juniors to do the same work which is of a continuous nature. All these acts are illegal they have acquired a permanency. Finally it has prayed to direct the management to reinstate the 4 employees in the employment with the continuity of service and full back wages from the date of their termination.

7. As against this the management has resisted the claim by filing the Written Statement. Firstly it is contended that, it is not at all industrial dispute. The petitioner Vidarbha General Labour Union has no authority and is not entitled to represent the petitioners. It is not the union of the workmen of the establishment nor it has acquired a representative character. There are 2 unions operating in CMPDIL and its campus including Anandvan Camp. It is neither competent nor has locus standi to represent and to sponsor the cause of the workers belonging to CMPDIL. The subject matter is already resolved and settled through 2 conciliation settlements in which the names of the above 4 petitioners appear. The industrial dispute having been settled and the settlement legally binding on the workman and the employer is still in operation. Therefore, another industrial dispute is not warranting. According to the management the reference is void, bad and not maintainable. The union has pleaded to implementation of 2 conciliation settlements through the judicial proceedings. This cannot become a subject matter of Industrial Dispute. There are separate provisions for the implementation of settlement and award etc. and a second dispute is not maintainable.

8. However in the alternatively it has filed its reply on merits also. According to it the CMPDIL is a subsidiary to Coal India Limited having main activity of drilling and exploration of coal as well as to undertake the planning and designing work for the different coal companies. It carries out the activities to assist the different coal producing companies. It has its head quarter at Ranchi and the Chairman-cum-Managing Director is the executive of the head office. At Nagpur there is regional institute, which carries out its work in western region by establishing drilling camps in remote areas. For the purpose of its operation it deploys the heavy machines with other equipments. To handle these machines some regular and permanent employees are appointed. Some casual workers are also deployed to do the job like sump digging, road making and repairing it, similarly loading and unloading truck etc. and it being a temporary job intermediately available and done through a casual when the casual work

is available. Similarly on completion of work it shifts its camp to another area from which place they employ the casual workers for the above work. It is also contended that as per practice the workers report every day at the camp side for work and if the job is available they are deployed. And if it not available then they have to go back. Anandvan drilling camp was started in the year 1984 as per its record, the petitioner Mandokar was deployed as a labour for the first time in June 1984 he works intermediately on different jobs to November 1984. His working days during the above period comes to 109 days after November 1984 he was discontinued and that too on his own accord. Deorao More another petitioner worked for September 1984 on the different jobs up to June 1985 and his total attendance is 68 days and in 1985 12 days. During this period he had also done some work on contractual job. Shri P. R. Kamble worked as a casual in December 1985 and worked intermediately till 1986. In the month of May & June 1986 he did some contractual work and later on did not attend the work. His total working period is 13 days and 56 days during the year 1985 and 1986 including a contractual job. Shri P. K. Chikate was deployed as casual from December 1985 and continued till May 1986. His physical attendance of the period during 1985 and 1986 was 13 and 75 days respectively. He did later on in the month of June and July 1986 some job on contract basis and thereafter he did not report to camp. Thus all the 4 petitioners stop report at Anandvan Camp. The other casual who were reporting to the site were continued to be deployed.

9. In the month of April 1988 Koyla Khadan Karmachari Sangh (KKKS) took up the cause of Deorao Sadashiv More and Mandokar alongwith other persons raised a disputes before Asstt. Labour Commissioner, Chandrapur alleging that their services were illegally terminated. However, the dispute ended in settlement after conciliation proceedings. The settlement took place on 11-09-1988 wherein CMPDIL agreed to engage Shri Vithal Maruti, Shri Madhukar Maruti, Deorao Sadashiv More and Nago Namdeo on purely casual nature of the jobs when the vacancy will arise or the work will be available. They were to be taken as a casual labour. This was the full and final settlement. The workman also directed to give an undertaking to behave in the proper manner with their officers. Thus it was the full and final settlement regarding this dispute. After settlement none of the person from the petitioner reported to the camp work site from the work till February 1989. Shri P. K. Chikate & Shri P. R. Kamble turned in March 1989 they were given the job on contract basis for shifting the materials on available work in the month of March & May. Thereafter they both stop reporting on camp site. In the month of August did some contractual work. Thus according to the management it cannot keep open its door permanently upto 89. The work was of uncertain nature. Thus the petitioners were employed as a casual intermediately none of them has completed 240 days in a

year so as to treat them as a continuously employed. There is no question of application of Section 25 F or G of the I. D. Act. Therefore is no question of retrenchment and it has denied that they were illegally retrenched. The casuals who have completed more than 240 days of attendance in calender year were made permanent in the year 1994. The 15 persons were regularized after discussion with CMPDIL (Head Quarter, Ranchi) with N.C.O.E.A. followed by conciliation settlement before a Regional Labour Commissioner Central on 27-08-1991. In the terms of settlement those who have completed more that 240 days were regularized in the month of March 1994. Shri Amne & Shri Shirpurkar were regularized as permanent workers as they had continuously worked in Anandvan Camp and fulfilled the conditions. Shri Kamble & Shri Chikate did not appear and had never continued the work. They were never qualified for regularization. The management had never entered into the agreement with the petitioner union. However, a settlement Dt. 27-08-1991 between management of C.M.P.D.I. and the union N.C.O.E.A. a recognized union of the respondent has been fully implemented. The 4 petitioners were not covered by the conciliation settlement Dt. 27-08-1997 and therefore, the question of making them regular does not arise, now the respondent is functioning only at a base camp for Nandgaon Exploration Camp, which is at the distance of about 50 k.m. of the Anandvan. From 1993 onwards there is no work of a casual either at Anandvan based camp or at Nandgaon Exploration Camp and it is not in position to provide the work to those 4 persons. The management has firmly denied that the petitioners have completed 240 days attendance and it has never given an assurance to anybody. Thus according to if the petitioners are not at all entitled for any relief as claimed by them. It has prayed to declare that there is no industrial dispute and reference is not maintainable and to reject their prayer of regularization with back wages.

10. On the basis of these allegations the only point arises from my consideration is that, whether the reference is maintainable and whether the petitioners are entitled for reinstatement and regularization alongwith the back wages.

11. In order to prove the respective contentions the petitioners examined Shri P. K. Chikate and P. R. Kamble as a witness and on behalf of management Shri V. S. Tamne Deputy Chief Geologist and Shri P. J. Kumar Ayyar Superintendent Geologist Officer in Charge. Similarly the management has filed the written notes of argument.

12. The record of the case indicates that nobody is appearing for the workers or the petitioner right from April 2003. They have not filed any written notes of argument. Even the union or its representative also did not turn despite the notice. Therefore, I have heard the counsel for the management Mr. Prasad and the management has also filed a written notes of argument. I have gone through it.

13. Undisputedly earlier there was a settlement in the year 1984 after a conciliation proceedings before ALC.

That agreement is on record which indicates that the management has agreed to engage the workers who had approached to ALC as a casual labour when the work was available. Those persons includes the 4 persons who are party to this petition. Further it was also agreed that the management would provide them a work of a casual nature whenever it is available and the workers also undertook to give an undertaking that they would behave properly with the management. It is the case of the petitioner that despite the availability of the work and despite the above settlement of the year 1984 the management did not allow them to continue the work or they have not engaged them even on the casual labours. On the contrary they have engaged 13 more persons who are later on even made permanent. Thus according to the petitioner the management has committed a breach of Section 25F & G of the Industrial Disputes Act. While according to the management the petitioners were expected to come on the site where the work is going on and if the work was available they would give them. They being a casual labours they were expected to attend the work site, but the petitioners never attended upto 1989 right from 1984. By that time the workers who were present at site and demanded the work were engaged and later on as they have completed 240 days they are even regularized. The petitioners voluntarily did not attend the work and it was not possible for the management to wait for them upto 1989. Later on again the recognized union of the management raised the disputes before ALC and after conciliation there was a settlement in the year 1991. In the terms of settlement they are made permanent because they had completed more than 240 days.

14. From the record it is clear that earlier there was a settlement on 14-07-1988 if really the petitioners were interested in the work they could have approached to ALC with the complaint for taking action for committing a breach of the settlement by the management. It is a fact that neither the union nor the petitioner themselves had ever asked the ALC to implement the settlement Dt. 14-07-1988. There is nothing on record even to indicate that the above 4 petitioners have submitted any undertaking as expected under the settlement. No doubt in an affidavit i.e. in the evidence they have stated to have submitted the undertaking but there is nothing on record to prove it. Even the copy of those undertaking is not brought on record by the petitioners. They could have even submitted the copies to the ALC and they could have even brought it on record. But there is nothing to show it. The settlement appears to have been taken place between KKKS union and the management. Even the above union has never approached to ALC alleging the breach of the above settlement. The present union i.e. Vidarbha General Labour Union who has raised this dispute was in fact not at all in picture. There is substance in the submissions of the management about their representative capacity and whether they are entitled to raise the dispute. It is a fact that instead of raising another dispute the concern union or even the petitioners in person, could have applied for

implementation of the above settlement before the ALC. There are separate penal provisions, which can be resorted for getting the settlement implemented. In such circumstances in my view also when there was a settlement another reference was not of assistance of the petitioner. It was not necessary at all. This indicates that the workman had not shown any interest in implementing the above settlement on obtaining the employment consequent upon it. This submissions support the management that they did not appear on the site for work. It was not at all possible for the management either to wait for them and keep the work stand still or to call them after going to their houses. Similarly there was no reasons either pleaded by the workers or even alleged by the union for not engaging this particular 4 persons when remaining all the employees covered in the settlement of 1988 were given the work. The management had rightly later on regularized them who were parties to that settlement except these 4 persons. Only because they did not attend the work they were not deployed. Thus the submissions of the management appears to be correct and proper as well as the reliable. That the above 4 petitioner did not attend the work and themselves are responsible for not getting the work. The management cannot be blamed for the same nor now it can be forced to reinstate its 4 petitioners and give them a permanency alongwith the other workers who were covered by the settlement alongwith them. In the result in my opinion no relief can be granted as prayed by the petitioner and the reference, which have to be answered in the negative. Accordingly I pass the award of dismissal of the reference.

Hence this award.

Dated: 10-4-2007

A. N. YADAV, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1415. - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 114/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल-22012/215/1997-आई आर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1415.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 114/2000) of the Central Government Industrial Tribunal cum Labour Court, Nagpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 16-4-2007.

[No. L-22012/215/1997-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE SHRI A.N. YADAV PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR.****Case No. CGIT/NGP/114/2000****Date : 9-4-2007**

Petitioner/ : Shri Maroti S/o Laxman Aknurwar,

Party No. 1 R/o. Powni, Tah. Rajura, Dist.
Chandrapur.**Versus**

Respondent/ : The Sub Area Manager, W.C.L. Sasti

Party No. 2 Sub Area, PO. Sasti, Tah. Rajura,
Dist.— Chandrapur.**AWARD****[Dated : 9th April 2007]**

1. The Central Government after satisfying the existence of disputes between Shri Maroti Laxman Aknurwar, R/o. Powni, Tah. Rajura, Dist. Chandrapur (M.S.) Party No. 1 and Sub Area Manager, W.C.L. Sasti Sub Area, PO. Sasti, Tah. Rajura, Dist. Chandrapur Party No. 2 referred the same for adjudication to this Tribunal vide its Letter No. L-22012/215/97/IR (CM-II) Dt. 19-8-1998 under clause (d) of sub Section (1) and sub Section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the Management Sub Area Manager, WCL, Sasti, Tah. Rajura, Distt. Chandrapur in not reinstating a contract labour namely Sh. Maroti Laxman Aknurwar is legal, proper and justified? If not, to what relief is the workman entitled and from which date? What other directions are necessary in the matter".

3. The Petitioner Shri Maroti Laxman Aknurwar has raised the dispute alleging that his termination was illegal. He ought to have been retrenched if the work was not available on paying the compensation. Similarly according to him it was also necessary for the management to reinstate him and since it failed to reinstate he has raised the dispute. On failure of the conciliation before ALC the present claim has been referred for adjudication to this Tribunal.

4. He has approached with the contention that he joined the service of the WCL Ballarpur Area at Sasti open cast as a store mazdoor through the contractor Shri Ramsevak Tiwari and worked continuously from 1-9-1993 to 19-8-1996. Initially he was paid Rs. 35 per day and later on it was increased to Rs. 40 per day. His services were terminated from 19-8-1996 without any notice, retrenchment compensation or the notice pay etc. According to him his termination is illegal and not justified. He was working against the permanent post as a store Mazdoor having duties to carry the store materials by truck from Durgapur and Majri Area to fill the diesel in diesel pump, attend the store delivery and supplies, perform loading and unloading

of oil barrels. He has completed 240 days in one calendar year presiding his termination and he is entitled for regularization. Thus according to him the action of the management is illegal. He has prayed to reinstatement.

5. As against this the management appeared and resisted the claim saying that he was never appointed by the Western Coalfields Ltd., he never worked with them, they have regular appointment employees for the work connected with the stores according to it even the muster roll produced by them have no concern with it. It might have been even fabricated and therefore, they have prayed to reject the petition.

6. Both parties have adduced the evidence, the petitioner could not be cross-examined on behalf of the management and the management witness though examined was not cross-examined by the petitioner due to their absence at the relevant time. The perusal of evidence and document indicates that there are permanent employees engaged from 1985 by the management for performing the work of the store, they have submitted the list of those workers alongwith their appointment orders etc. So far as the petitioner is concern it seems that some Xerox copies of muster roll are produced but they are not at all of the W.C.L. and they are also not originals. In fact they are not at all reliable. There is nothing to show that the petitioner was continuously working as alleged by him with the management and he was paid by it. Not a single document is produced to show that the payment was made by the W.C.L. or Respondent to him on any occasion. Similarly the contractor is not a party nor is examined as witness on behalf of the petitioner disclosing the exact position. In my opinion there is no evidence to conclude or to prove that the petitioner had worked as a casual labour with the management Respondent No. 1. It is difficult to understand as to how relations as employer and workman were existing between them. In my opinion the petitioner is not entitled for any relief and the reference deserves to be rejected. Accordingly the reference stands as dismissed.

Hence this award.

Dated : 9-4-2007

A. N. YADAV, Presiding Officer.

नई दिल्ली, 16 अप्रैल, 2007

क.आ. 1416.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय नं-1 चण्डीगढ़ के पंचाट (संदर्भ संख्या 191/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40012/26/2000-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1416.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 191/2000) of the Central Government Industrial Tribunal-cum-Labour Court No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/26/2000-IR (DU)]

SURENDRA SINGH, Desk Officer
ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I.D. 191/2000

Shri Raj Kumar C/o Shri N. K. Jeet, Telecom Labour
Union, Mohalla Hari Nagar, Lal Singh Basti Road,
Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Department of Telecom,
Hosiarpur (Punjab)

.....Respondent

APPEARANCES

For the workmen : Shri N. K. Jeet

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/
26/2000/IR (DU) dated 30-5-2000 has referred the following
dispute to this Tribunal for adjudication :

"Whether the action of the management of General
Manager Telecom, Hosiarpur, Punjab in ordering
disengagement/termination of services of Shri Raj
Kumar a workman engaged through contractor
Shri Ashok Kumar Sharma w.e.f. 1-3-99 is legal and
justified? If not, to what relief the workman is entitled
and from which date?"

2. The case is taken up in Lok Adalat at the request
of the parties. The authorized representatives of the
workman Shri N. K. Jeet, President of the Union withdraw

the present reference vide his statement recorded on
29-3-2007. In view of the same, the present reference is
returned as withdrawn in Lok Adalat. Central Government
be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1417.—औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार
विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के
बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या
83/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007
को प्राप्त हुआ था।

[सं. एल-40012/406/1999-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1417.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947) the Central
Government hereby publishes the Award (Ref. No. 83/2000)
of the Central Government Industrial Tribunal-cum-Labour
Court No-1, Chandigarh as shown in the Annexure, in the
Industrial Dispute between the employers in relation to
the management of Department of Telecom and their
workman, which was received by the Central Government
on 16-4-2007.

[No. L-40012/406/1999-IR (DU)]

SURENDRA SINGH, Desk Officer
ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I.D. 83/2000

Shri Sarwan Kumar son of Shri Mool Chand C/o Shri
N. K. Jeet, President, Telecom Labour Union, Mohalla
Hari Nagar, Lal Singh Basti Road, Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Telecom, Bhatinda (Punjab).

.....Respondent

APPEARANCES

For the workmen : Shri Vijay Kumar

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/406/1999/IR (D.U.) dated 17-2-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of General Manager Telecom, Bhatinda in terminating the services of Shri Sarwan Kumar son of Mool Chand is and just and legal ? If not to what relief the workman is entitled and from which date ?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representatives of the workman Shri Vijay Kumar withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat Central Government be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

क.अ. 1418.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 113/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल-40012/394/1999-आईआर(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1418.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 113/2000) of the Central Government Industrial Tribunal-cum-Labour Court No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/394/1999-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. LD. 113/2000

Shri Bhagwan Singh son of Shri Jagdev Singh C/o Shri N. K. Jeet, President, Telecom Labour Union, Mohalla Hari Nagar, Lal Singh Basti Road, Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Telecom, Bhatinda (Punjab),

.....Respondent

APPEARANCES

For the workmen : Shri Vijay Kumar

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/394/1999/IR (D.U.) dated 17-2-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of General Manager Telecom, Bhatinda in terminating the services of Shri Bhagwan Singh son of Jagdev Singh is and just and legal ? If not to what relief the workman is entitled and from which date ?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representatives of the workman Shri Vijay Kumar withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat Central Government be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

क.अ. 1419.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 121/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल-40012/412/1999-आईआर(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1419.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 121/2000) of the Central Government Industrial Tribunal-cum-Labour Court No-1, Chandigarh as shown in the Annexure,

in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/412/1999-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 121/2000

Shri Gurjant Singh son of Shri Mit Singh C/o Shri N. K. Jeet, President, Telecom Labour Union, Mohalla Hari Nagar, Lal Singh Basti Road, Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Department of Telecom, Bhatinda (Punjab).

.....Respondent

APPEARANCES

For the workment : Shri Vijay Kumar

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/412/1999/IR (D.U.) dated 27-2-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of General Manager Telecom, Bhatinda in terminating the services of Shri Gurjant Singh son of Mit Singh is just and legal ? If not to what relief the workman is entitled and from which date ?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representatives of the workman Shri Vijay Kumar withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat Central Government be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1420.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के

बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 53/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल- 40012/309/2001-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1420 .—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 53/2000) of the Central Government Industrial Tribunal-cum-Labour Court No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/309/2001-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 53/2000

Shri Sanjay Kumar C/o Shri N. K. Jeet, 27349, Lal Singh Basti Road, Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Department of Telecom, Bhatinda (Punjab).

.....Respondent

APPEARANCES

For the workment : Shri Vijay Kumar

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/309/2001/IR (D.U.) dated 5-2-2002 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of General Manager Telecom, Bhatinda in terminating the services of Shri Sanjay Kumar son of Shri Prakash Chand sweeper w.e.f. 1-3-1999 is and just and legal ? If not to what relief the workman is entitled and from which date ?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representatives of the workman Shri Vijay Kumar withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat Central Government be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1421.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 133/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-2007 को प्राप्त हुआ था।

[सं. एल-40012/554/2000-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1421.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 133/2001) of the Central Government Industrial Tribunal-cum-Labour Court No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/554/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 133/2000

Shri Ajay Kumar S/o Shri O. P. Dhusia, H. No. 17, P&T Colony, Ambala Cantt. (Haryana).

.....Applicant

Versus

1. The Chief General Manager, Telecom, Punjab Circle, Sector 34, Chandigarh-160001

.....Respondent

APPEARANCES

For the workment : None

For the management : Shri G. C. Babbar

AWARD

Passed on 29-3-2007

Central Government vide notification No. L-40012/554/2000/IR (D.U.) dated 13-3-2001 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Department of Telecom, Chandigarh in termination the services of Shri Ajay Kumar Son of Shri O. P. Dhusia w.e.f. 27-2-1999 is and just and legal ? If not, to what relief the workman is entitled ?"

2. Case repeatedly called. None appeared on behalf of workman. Shri G. C. Babbar AR of the management submitted that workman is not interested as he is not appearing in evidence nor producing any other witness despite notice which was received back wherein it is reported that workman is not residing on the address. He has also not contracted his advocate. He appears to be gainfully employed and no useful purpose will be served in keeping this case pending. In view of the above, it appears the workman is not interested to pursue with the reference any further, therefore, the present reference is returned to the Central Government for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh,

29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1422.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 चण्डीगढ़ के पंचाट (संदर्भ संख्या 129/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल-40012/40/2002-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1422.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 129/2002) of the Central Government Industrial Tribunal-cum-

Labour Court, No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/40/2002-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH**

Case No. I.D. 129/2002

Shri Balwinder Singh
C/o Sh. N.K. Jeet, 27349,
Lal Singh Basti Road,
Mohalla Hari Nagar,
Bhatinda (Punjab).

.....Applicant

Versus

1. General Manager, Telecom,
Department of Telecom,
Amritsar (Punjab)

.....Respondent

APPEARANCES

For the Workmen : N.K. Jeet

For the Management : Sh. G.C. Babbar.

AWARD

Passed on 29-3-2007

Central Govt. vide notification No. L-40012/40/2002/IR (D.U.) dated 24-7-2002 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of General Manager Telecom, Amritsar in terminating the services of Sh. Balwinder Singh son of Sulakhan Singh workman w.e.f. 28-2-1999 is and just and legal? If not, to what relief the workman is entitled to and from which date?"

2. The case is taken up in Lok Adalat at the request of the parties. The authorized representative of the workman Sh. N.K. Jeet, President of the Union withdraw the present reference vide his statement recorded on 29-3-2007. In view of the same, the present reference is returned as withdrawn in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh
29-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1423.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 चण्डीगढ़ के पंचाट (संदर्भ संख्या 409/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-07 को प्राप्त हुआ था।

[सं. एल-40012/344/2000-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th April, 2007

S. O. 1423.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 409/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-4-2007.

[No. L-40012/344/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH**

Case No. I.D. 409/2000

Sh. Ramesh Kumar
C/o Sh. R.K. Sharma,

H.No. 372, Sector 20A, Chandigarh.

.....Applicant

Versus

1. The Chief General Manager,
Telecom, Punjab Circle,
Sector 34, Chandigarh-16001

2. The Principal General Manager,
Telecom, Sector-18, Chandigarh

....Respondent

APPEARANCES

For the Workmen : None

For the Management : Sh. G.C. Babbar.

AWARD

Passed on 30-3-2007

Central Govt. vide notification No. L-40012/344/2000/IR (D.U.) dated 28-9-2002 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Chief General Manager, Telecom, Punjab Circle, Chandigarh and the Principal General Manager Telecom, Chandigarh District in ordering disengagement/termination of services of Shri Ramesh Kumar a workman engaged through contractor M/s. Gupta w.e.f. 27-2-1999 is and just and legal? If not, to what relief the workman is entitled to and from which date?"

2. Case repeatedly called. None appeared on behalf of workman. Workman is not appearing since 5-6-06, 10-8-06, 8-11-06, 19-12-06, 13-2-07, 15-3-07 and 30-3-07. Court notices were also issued to workman on his AR and at his address given. (1) 3400 Sector 15-D, Chandigarh and at 1130 D. Sector 29-B Chandigarh on 13-2-07 and 15-3-07.

3. Court notices were also issued on 21/12/06 but workman did not appear nor his new AR advocate. On both court notices on above address it is reported that he is not living on the address given. Workman himself not pursuing his case and not coming to court. It appears that he is gainfully employed some where and not interested. No useful purpose will be served in keeping this case pending. Hence reference is hereby returned for non prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
30-3-2007

नई दिल्ली, 19 अप्रैल, 2007

का.आ. 1424.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल के पंचाट (संदर्भ संख्या 154/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-4-07 को प्राप्त हुआ था।

[सं. एल-22012/125/1999-आईआर(सी-II)]

* अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1424.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 154/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 19-4-2007.

[No. L-22012/125/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR, COURT, ASANSOL.

PRESENT

Sri Md. Sarfaraz Khan,
Presiding Officer.

REFERENCE NO. 154 OF 1999

PARTIES : The Agent, Dhemomain Colliery of E.C.L.,
Burdwan

Vrs.

The Asstt. General Secretary, Koyala Mazdoor
Congress, Asansol, Burdwan.

REPRESENTATIVES

For the Management : Sri P. K. Das, Advocate.

For the Union (Workman) : Sri R.K. Tripathi,
President of the Union.

INDUSTRY : COAL STATE : WEST BENGAL.

Dated the 10-08-2005.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/125/99-IR (CM-II) dated 08-09-1999 has been pleased to refer the following dispute for adjudication by this tribunal.

SCHEDULE

"Whether the action of the management of the Dhemomain Colliery in dismissing Sh. Bablu Majhi, U.G. Loader from services is justified? If not, to what relief is the workman entitled?"

2. After having received the Order No. L-22012/125/99-IR(CM-II) dated 31-08-99/08-09-99 of the said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No.154 of 1999 was registered on 23-9-99/08-10-01 and accordingly an order to that effect was passed to issue notices to the respective parties through the registered post directing them to appear in the court on the scheduled date and to file their written statements along with the relevant documents and a list of witnesses in support of their respective claims. In pursuance of the said order notices by the registered post were issued to the parties concerned. Sri P. K. Das, Advocate and Sri R. K. Tripathi, President of the union appeared in the court to represent the management and workman concerned respectively and filed their written statement in support of their case.

3. In brief compass the case of the union as set forth in its written statement is that Sh. Bablu Majhi was employed as a permanent employee of the company at Dhemommain Colliery under Sodepur Area of M/s. ECL having his U/M No. 110394.

4. The main case of the union is that Sh. Bablu Majhi was seriously ill and he could not attend his duties from 5-7-96 and after recovery from his illness reported for duty along with medical certificate in support of his illness but he was not allowed to resume duty rather he was issued charge sheet and subsequently dismissed from the services of the company w.e.f. 1-2-97. Sh. Bablu Majhi was compelled to remain absent from duty due to his sickness which was beyond his control. Sh. Majhi had submitted the medical certificate in support of his illness at the time of enquiry but the management could not consider his case for reinstatement for the reasons best known to them.

5. It is also the case of the union that the workman concerned was not given ample opportunity to defend himself even his medical certificate produced at the time of enquiry was ignored by the management resulting the denial of the principles of natural justice. The workman and the union representative had represented before the management for his reinstatement in service but to no effect as the management was adamant in his attitude. The union has sought relief for setting aside the order of dismissal and to reinstate the delinquent workman in his service with all back wages and consequential benefits arising out there from.

6. On the other hand the defence case of the management in brief as per the averments made in its written statement is that the instant reference as referred by the appropriate government is bad in the eye of law and the very dispute as raised by the union over dismissal of Bablu Majhi is entirely a misconceived one.

7. The main defence case of the management is that Sh. Bablu Majhi had been working as U.G. Loader at Dhemommain Colliery and he remained absent from his duty on and from 6-7-1996 to 19-11-96 without any prior permission or information to the management and as such he was charge sheeted *vide* clause 10 (G) of the Standing Order applicable to the establishment. The delinquent employee submitted his reply by alleging that due to his illness he could not attend his duty from 6-7-96 to 19-11-96 though the ex-workman never intimated about his alleged illness and the explanation so offered by the workman was found to be totally unsatisfactory and as such it was decided by the management to hold a domestic enquiry through an independent enquiry officer for enquiring into the said charges as framed against him.

8. It is also the case of the management that Sh. Bablu Majhi had duly participated in the enquiry proceeding and he was given all reasonable opportunity

to defend his case in accordance with the principle of natural justice. The enquiry officer having completed the enquiry proceeding held the workman guilty for the charge leveled and submitted its report. The disciplinary authority passed the order of dismissal after considering the enquiry report and other connected papers in accordance with the gravity of misconduct. The order of dismissal is further claimed to be quite proportionate, just and proper.

9. The management has categorically denied the allegation made in para 3 of the written statement of the union about the ground or reasons of sickness for his unauthorized absence during the relevant period. The averments made in para 6 of the written statement of the union that Sri Majhi was not given ample opportunity to defend his case at the time of enquiry and the principles of natural justice was denied at any stage.

10. In view of the pleadings of both the parties and the materials available on the record I find certain facts which are admitted by the respective parties. So before entering into the discussions of the merit of the case I would like to mention the facts which are admitted one.

11. It is the admitted fact that Sh. Bablu Majhi, Under Ground Loader of Dhemommain Colliery under Sodepur Area of M/s. ECL was a permanent employee.

12. It is further admitted fact that the delinquent workman was absent from his duty w.e.f. 6-7-96 to 19-11-96 without any prior permission and information to the management.

13. It is the next admitted fact that the delinquent workman was charge sheeted on 20-11-96 for his unauthorized absence from duty and explanation to that effect was submitted by him.

14. It is the lastly admitted fact that a domestic enquiry was conducted by an enquiry officer and the workman had duly participated in enquiry proceeding in which he was held guilty for the misconduct of unauthorized absence of the said relevant period. It is also admitted case that there is no charge sheet against the workman concerned for being habitual absentee.

15. It is the settled principle of law that the fact admitted need not be proved. Since these all aforesaid facts are admitted one so I do not think proper to discuss the same in detail.

16. From perusal of the record it transpires that on 21-7-05 a hearing on the preliminary point was made. The validity and fairness of the enquiry proceeding was not challenged by the union. So the enquiry proceeding was held to be fair and valid and the date of final hearing of the case on merit was fixed on 10-8-05 which was accordingly heard on merit and the award was kept reserved for order.

17. In para 1 of its written statement a plea has been taken by the side of the management that the instant reference is bad in the eye of law as the same is not legally maintainable. It is also pleaded that in view of the facts and circumstances of the case the dispute is misconceived one. But the aforesaid issue was neither raised nor pressed by the side of the management during the course of final hearing of the reference. The management has neither examined any oral witness nor tendered any document in support of its plea. As such, I do not find any defect in the maintainability of this reference and the facts of this case very well comes under the ambit and scope of the Industrial Disputes Act, 1947. The Government of India through the Ministry of Labour has rightly referred the dispute to this Tribunal for its adjudication and as such this issue is decided against the management.

18. From perusal of the record it transpires that none of the parties has, examined any oral witness in support of their case rather some Xerox copies of the document has been filed by the side of the management in support of its case. The management has filed the Xerox copy of the enquiry proceeding along with the reports of the enquiry officer. These all documents are admitted one as the genuineness of the documents has not been challenged by the side of the union.

19. On perusal of the enquiry proceedings and its report it transpires that the workman concerned had participated in the enquiry proceeding. He has stated in his statement before the enquiry officer that he was sick during the relevant period in question. So he was under the treatment of Dr. Utpal Sinha, D.M.S. (Calcutta). He has clearly admitted there that he had not sent any letter to the colliery authority about the reasons of his absence. He has further admitted that he had not taken any leave or given any information to the colliery authority before leaving the colliery. Besides this he had also pleaded guilty during his cross examination by the management representative in the enquiry proceeding.

20. Having gone through the entire facts circumstance, enquiry proceedings along with its report I find that the workman concerned was admittedly absent from his duty w.e.f. 8-7-96 to 19-11-96 i.e. about four months continuously without any prior permission and information to the management. The enquiry officer has rightly held him guilty for an unauthorized absence from duty during the said relevant period for which the workman concerned definitely deserves some suitable punishment for the alleged misconduct as per the provision prescribed in the Model Standing Order applicable to the establishment.

21. Now the next main point for consideration before the court is to see as to how far the punishment of dismissal awarded to the workman concerned by the management is just, proper and proportionate to the alleged nature of misconduct proved.

22. Heard both the parties in detail on the aforesaid point in question. It was submitted by the side of the union that it is a simple case of unauthorized absence from duty for about four months which has been duly explained and the reasons of absence supported with the medical certificate have been found to be sufficient and relevant one as the enquiry officer in his finding has not whispered even a word that the unauthorized absence was without any sufficient cause. Perused the enquiry proceeding. Management representative Sri J. P. Jhajasia during his statement has admitted that the workman had produced the medical certificate granted by Dr. Utpal Sinha, D.M.S. (Cal), K.M. Lane, Lower Chelidanga, Asansol together with the application to allow him to resume his duty which supports the contention of the union that the delinquent workman was absent from his duty during the relevant period i.e. 8-7-96 to 19-11-96 due to his serious illness. I find some force in the argument of the union on this score and I am satisfied to hold that the workman was absent during the relevant period from his duty under the compelling circumstance beyond his control.

23. The union during his argument further submitted that the workman concerned has got unblemish record during his tenure of service and there has not been any complain of any misconduct either by unauthorized absence or any other nature of misconduct. The management has also not charge sheeted him for habitual absence nor any record of document in this regard has been filed in the court nor there is any pleading in this respect as well. So it can be easily concluded that it is the fresh offence of the workman which has been sufficiently explained and supported by the medical certificate which was not challenged by the management. The medical certificate go to show the compelling circumstance prevailing during the relevant period of absence from the duty of the workman which were beyond his control.

24. It was lastly submitted by the union that is a simple case of unauthorized absence sufficiently explained with convincing reasons which can not be said to be a gross misconduct. The attention of the court was drawn towards the provision of the Model Standing order where the extreme punishment prescribed is dismissal as per the gravity of the misconduct and it was claimed that the extreme penalty can not be imposed upon the workman in such a minor case of alleged misconduct of unauthorized absence of about four months. In the light of the provision laid down under clause 27(1) (page 15) of the Model Standing Order the points of argument enhanced by the union appears to be convincing and reasonable.

25. I would like to mention here that several times it has been observed by the different Hon'ble High Courts and the Apex Court as well that before imposing a punishment of dismissal it is necessary for the disciplinary authority to consider socio-economic background of the

workman, his family background, length of service put in by the employee, his past record and other surrounding circumstance to commit the misconduct. These are the relevant factors which must have to be kept in mind by the authority at the time of imposing the punishment which obviously has not been followed by the competent authority in this case.

26. The vital point taken by the union is that no second show cause notice was ever issued or served upon the workman concerned before passing the order of punishment of dismissal which is clear cut violation of the mandate of the Hon'ble Apex Court. The management is quite silent on this point as there is no pleading in the written statement nor any reply was given during argument by the management. Admittedly the circular in this regard has already been issued and circulated by the office of the highest authority of the Coal India Limited to all its concern together with the reference of the judgement of the Apex Court in this respect but the said has not been which is admittedly the utter violation of the mandate of the Apex Court and the principle of Natural justice as well.

27. The workman concerned is an illiterate man of Majhi by caste who is the member of Schedule Caste and the member of the weaker section of the society. He is no doubt financially weak and poor who had suffered a lot for about more than eight years. It is clear from clause 27(1) (page 15) of the Model Standing Order applicable to the establishment that various minor punishment have been prescribed to be awarded to the workman according to the gravity of the misconduct. I fail to think as to why only maximum punishment available be awarded to the workman concerned in the prevailing facts of the present case. It has been observed by the Apex Court that justice must be tempered with mercy and that the delinquent workman should be given an opportunity to reform himself and to be loyal and disciplinary employee of the management. However, I am of the considered view that the punishment of dismissal for an unauthorized absence for few months under the compelling circumstance and without any mala fide intention is not just and proper rather it is too harsh a punishment which is totally disproportionate to the misconduct proved and the same certainly shocks the judicial conscience of the court. Such a simple case of first offence of unauthorized absence for a few months under the compelling circumstance beyond the control of the workman concerned should have been dealt with leniently by the management. In this view of the matter, in order to avoid further prolonged litigation it would be appropriate if I modify and substitute the punishment myself by exercising the power under section 11 (A) of the Industrial Dispute Act, 1947 to meet the ends of justice and as such the impugned order of dismissal of the concerned workman is hereby set aside and he is directed to be reinstated with the continuation of the service and in the light of the facts, circumstances and the misconduct for which the

punishment of dismissal was imposed on the workman concerned, I think it appropriate that the concerned workman be imposed a punishment of withholding two consecutive increments without any cumulative effect. It is further directed that the delinquent workman will be entitled to 40% of the back wages from the date of dismissal which will serve the ends of justice. Accordingly it is hereby

ORDERED

that let an "Award" be and the same is passed in favour of the workman concerned. Send the copies of the award to the Ministry of Labour, Govt. of India, New Delhi for information and needful. The reference is accordingly disposed of.

Md. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 19 अप्रैल, 2007

का. आ. 1425.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई सी एल के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 21/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/322/2000-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1425.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 21/2001) of the Central Government Industrial Tribunal-cum-Labour Court. Asansol now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 19-04-2007.

[No. L-22012/322/2000-IR (C-II)]

AJAYA KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL

PRESENT

Sri Md. Sarfaraz Khan, Presiding Officer

REFERENCE No. 21 OF 2001

PARTIES:

Agent,
Parascole Colliery,
E.C. Ltd.,
Kajoragram,
Burdwan.

Vrs.

Jt. General Secretary,
Ukhra Colliery,
Mazdoor Union,
INTUC,
Cinema Road, Ukhra,
Burdwan.

REPRESENTATIVES

For the Management : Sri P.K. Das,
: Advocate
For the Union (Workman) : Sri M. Mukherjee,
: Advocate
Industry : Coal
State : West Bengal

Dated the 29-11-2006

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour *vide* its letter No. L-22012/322/2000-IR(C-II) dated 01-06-2001 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Parascole Colliery of M/s. Eastern Coalfield Limited, is not providing employment to Smt. Rekha Sethi, Dependant W/o. Late Benamali Sethi, Ex-Line Mazdoor as per provision of 9-4-3 of N.C.W.A.V., is legal and justified? If not to what relief Smt. Rekha Sethi is entitled to?"

After having received the order No. L-22012/322/2000-IR(C-II) dated 01-06-2001 of the aforesaid reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case no. 21 of 2001 was registered on 25-6-2001/19-11-2001 and accordingly an order to that effect was passed to issue notices to the respective parties through the registered post directing them to appear in the Court on the date fixed and to file their written statement along with the relevant documents and list of the witnesses in support of their case. In pursuance of the said order notices by the registered post were issued to the party concerned. Sri P.K. Das, Advocate and Sri M. Mukherjee, Advocate appeared in the Court to represent the Management and the Union respectively. The Union filed its written statement in support of its case.

On perusal of the record it transpires that the case was fixed for filing the written statement by the

Management. It is further clear from the record that the Union left taking any step on its behalf since 20-1-2006 to 29-11-2006 as the lawyer concerned had got no instruction from the Union. Several opportunities were given to the union to appear and take suitable steps but to no effect. So it is not just and proper to keep the record pending any more. As such it is hereby

AWARD

that let a "No Dispute Award" be and same is passed. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful.

Md. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 19 अप्रैल, 2007

का.आ. 1426.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 17/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-04-2007 को प्राप्त हुआ था।

[सं. एल-22012/78/1997-आई आर (सी-II)-]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1426.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 17/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.C.C.L. and their workman, which was received by the Central Government on 19-04-2007.

[No. L-22012/78/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL**

PRESENT

Sri Md. Sarfaraz Khan, Presiding Officer

REFERENCE No. 17 OF 1998

PARTIES:

The Agent,
Damagoria Colliery,
B.C.C.L.,
Burdwan.

Vrs.

The Branch Secretary,
Janta Mazdoor Sangh (HMS),
Damagoria Colliery Branch,
Kalyaneshwari,
Burdwan.

REPRESENTATIVES

For the Management : Sri P.K. Das,
Advocate
For the Union (Workman) : Sri S.K. Singh
Branch Secretary,
Janta Mazdoor Sangh,
Damagoria Colliery Branch,
Burdwan
Industry : Coal
State : West Bengal

AWARD

Dated the 14-03-2007

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour vide its letter order No. L-22012/78/1997-IR(CM-II) dated 11-06-1998 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Damagoria Colliery of M/s. BCCL, in not giving Gr. II to Sh. Girdhari Yadav, P.F. Clerk with all consequential benefit w.e.f. 20-06-1990 is justified? If not to what relief is the concerned workman entitled to?"

On having received the Order No. L-22012/78/97-IR(CM-II) dated 11-06-98 from the Government of India, Ministry of Labour, New Delhi, a reference case No. 17 of 1998 was registered and in order to issue notices to the respective parties through the registered post was passed which was accordingly issued with a direction to appear in the court and file their respective written statements along with the relevant documents in support of their claims fixing 17-08-98. Pursuant to the notices issued Shri P.K. Das, Advocate and Sri S.K. Singh, Branch Secretary, Janta Mazdoor Sangh representing the management and the workman concerned respectively appeared in the court and filed their written statement in support of their case.

3. In brief compass the case of the set forth in its written statement is that Sri Girdhari Yadav, excavation greaser helper of Damagoria Colliery and been allowed to officiate as P.F. Clerk in clerical grade w.e.f. 12-06-89 by the Personnel Manager, Chunch Victoria Area vide letter No. PM/XII/03/B-10/89/1812 dated 10/12-6-89 (Annexure I).

4. The main case of the union is that in terms of job evaluation and job nomenclature as prescribed by the BCCL Sri Yadav ought to be regularized on the post of P.F. Clerk in clerical grade II (Annexure II). Sri Yadav has been regularized as P.F. clerk in clerical grade III w.e.f. 20-06-90

vide office order No. 4319 dated 27-12-90 (Annexure III). It is further claimed that Sri Yadav ought to be regularized in clerical grade II as per the job evaluation and nomenclature prescribed by the JBCCI and it was wrong and highly unjust on the part of the management to regularize Sri Yadav as P.F. Clerk Grade III w.e.f. 20-06-90.

5. The further case of the union is that P.F. clerk is grade II post that is why one Sri Sushil Kumar Jha of West Colliery was regularized as P.F. clerk in grade II initially. The discrimination was done by the management which is highly unfortunate and unjust on the part of Girdhari Yadav as he was denied the same or similar benefit. This is claimed to be clear cut case of violation of norms prescribed in job nomenclature under JBCCI. The union has sought a relief of entitlement of clerical grade II w.e.f. 20-06-90 with all consequential benefit which has been denied illegally by the management.

6. On the other hand the defence case of the management as per the averments made in the written statement is that the instant reference is entirely misconceived and the perporated dispute can not constitute an Industrial Dispute as otherwise alleged by the union in its written statement.

7. The main defence of the management is that Sh. Girdhari Yadav was initially appointed as piece-rated under ground loader on 01-01-1985 in Victoria Colliery who was regularized as Greaser Helper in Excavation grade E on conversion from piece rate to time rate in the year 1988. Mr. Yadav was given an opportunity at the request of Colliery Mazdoor Union to work in the P.F. Section of Victoria Colliery to learn the job in P.F. Section for his future prospect. Sri Yadav on being converted from time rate to monthly rated category was regularized in clerical grade III w.e.f. 20-06-1990 being the entry point of monthly rated clerical Cadre Staff on completion of his one year engagement in P.F. Section.

8. The further case of the management is that the case of Sri Yadav was subjected before the Departmental Promotion Committee along with other grade III clerks of Victoria Colliery and as per recommendation of the Departmental Promotion Committee Sri Yadav was promoted to clerical grade II w.e.f. 9-8-1994. The case of Sri S.K. Jha of Victoria West Colliery is claimed to be entirely different and on different footing as Sh. Jha was initially appointed as clerk (Trainee) in clerical grade III and subsequently was regularized in clerical grade II. The management has denied the allegation of the union about the discrimination on the part of the management.

9. It has been prayed by the management that the workman should not be given any relief or other consequential benefit as per the schedule of reference and the action of the management be declared to be fully justified.

10. In view of the pleadings of both parties and the materials available on the record I find certain facts which are admitted by the respective parties. So before entering

into the discussion of the merit of the case I would like to mention those facts which are admitted one.

11. It is the admitted fact that Shri Girdhari Yadav was a permanent employee as excavation greaser helper of Damagoria Colliery.

12. It is also admitted fact that Shri Yadav was allowed to officiate as P.F. clerk in clerical grade w.e.f. 12-6-89 by the Personnel Manager of the colliery.

13. It is further admitted fact that Sri Yadav was regularized as P.F. clerk in clerical grade III w.e.f. 20-6-90 and was subsequently regularized in clerical grade II w.e.f. 9-8-1994.

14. It is the settled principle of law that the facts admitted need not be proved since these all above mentioned facts are admitted one. So I do not think it proper to discuss the same in detail.

15. Now the only main point to be considered and decided by the court is to see as to how far the workman concerned is entitled to get the benefit of clerical grade II w.e.f. 20-6-1990 with all the consequential benefit and how far the management is justified in denial of the same.

16. Admittedly Shri Girdhari Yadav, excavation greaser helper of Damagoria Colliery was allowed to officiate as P.F. clerk in clerical grade w.e.f. 12-6-1989 by the Personnel Manager of the colliery concerned vide letter attached by way of Annexure I by the side of the union who was subsequently regularized as P.F. clerk and placed in clerical grade III w.e.f. 20-6-1990 vide Annexure III. But the union has claimed for the regularization of the workman concerned on the post of P.F. clerk in clerical grade II w.e.f. 20-6-1990. The union in support of its contention has filed the Xerox copy of the job nomenclature by way of Annexure II. On perusal of the nomenclature Job Description and categorization of coal employee of clerical grade it transpires that different categories of job description of the clerical cadre has been given in grade 1, 2, and 3 respectively. It is further clear from grade II categorization of the clerk that the P.F. clerk is shown as the post of grade II prescribed in SI. No. 33 of grade II post of the clerks. No post of P. F. clerk comes under the category of grade III of the clerical post. So the regularization of the workman concerned placing him in clerical grade III w.e.f. 20-6-90 does not arise and if it is done that will amount to violation of the norms prescribed in job nomenclature under JBCCI. It is admitted by both the parties that Sh. Sushil Kr. Jha of West Victoria Colliery was regularized as P.F. Clerk in grade II in view of the provision laid down in chapter, clerical grade II of the JBCCI. Similarly Sri Yadav should have been regularized as P.F. clerk in grade II as his case stands in the similar footing.

17. Under the above facts, circumstances, evidence and the discussions made I am satisfied to hold that Sri Girdhari Yadav is entitled to get regularization as P.F. clerk in clerical grade II w.e.f. 20-06-90 with all the consequential benefits and accordingly the action of the management of Damagoria

Colliery of M/s. BCCI in not giving grade II to Sri Girdhari Yadav P.F. clerk with all consequential benefit w.e.f. 20-6-1990 is declared to be illegal and unjustified in the eye of law. As such the management is directed to give all the consequential benefit of P.F. clerk grade II to the delinquent employee with effect from 20-6-1990 within a month from the date of notification. Accordingly it is hereby

ORDERED

that let an "Award" be and the same is passed in favour of the union. Send the copies of the award to the Ministry of Labour, Government of India, New Delhi for information and needful. The reference is accordingly disposed of.

Md. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 19 अप्रैल, 2007

का.आ. 1427.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 31/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-04-2007 को प्राप्त हुआ था।

[सं. एल-12012/46/2006-आईआर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1427.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the management of Punjab National Bank and their workman, which was received by the Central Government on 19-04-2007.

[No.L-12012/46/2006-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI SANT SINGH BAL PRESIDING
OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
NEW DELHI**

I.D. No. 31/2006

In the matter of dispute between :—

Shri Shyam Lal S/o Shri K. D. Bauntiyal,
C/o Shri Mukesh Sharma, Lane No. 07,
Vijay Park, Extension, Dehradun,
Dehradun.

—Workman

Versus

The Sr. Regional Manager,
Punjab National Bank,
Regional Office, BHEL, Ranipur,
Haridwar.

—Management

APPEARANCES

None for the workman
Shri Sudhir Sharma Senior Manager,
A/R For management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/46/2006-IR (B-II) dated 20-7-2006 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Punjab National Bank in dismissing without notice from the Service to Shri Shyam Lal Clerk-cum-cashier w.e.f. 14-7-2003 on the alleged charges of misconduct leveled against him vide charge sheet dated 18-2-2002 is legal and justified? If not, what relief the concerned workman is entitled to?"

2. The claimant has not been appearing despite notice sent to the claimant which were received back with the postal remarks that the workman has left the place of address without disclosing about his new address. It appears that the workman is not interested in the prosecution of the reference which gives rise to the presumption that he does not dispute action of the respondent/management under this reference. Hence no dispute award is accordingly passed vide separate order.

Dated : 11-4-07

SANT SINGH BAL, Presiding Officer
नई दिल्ली, 19 अप्रैल, 2007

का.भा. 1428.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एश्योरेन्स कंपनी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अर्नाकुलम के पंचाट (संदर्भ संख्या 180/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-04-2007 को प्राप्त हुआ था।

[सं. एल-17012/23/98-आईआर (बी-II)]
राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1428.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 180/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure in the Industrial Dispute between the management of New India Assurance Co. and their workman, received by the Central Government on 19-04-2007.

[No. L-17012/23/1998-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM**

PRESENT

Shri P.L. Norbert, B.A., L.L.B., Presiding Officer
(Wednesday the 11th day of April, 2007/21st Chaitra,
1929)

I.D. 180/2006

(I.D. 23/1999 of Labour Court, Ernakulam)

Workman/Union : The General Secretary
Kerala State General
Insurance
Employees' Union
P.B. No. 1810,
Opp. Medical Trust
Kochi-682031.

Adv. Shri Rama Prasad Unni T.

Management : The Regional Manager
New India Assurance Co. Ltd.,
Kandamkulathy Towers
M.G. Road
Kochi-682001.

Adv. Shri P. Sankaranarayanan

AWARD

This is a reference made by Central Government under Section 10(1)(d) of Industrial Disputes Act, 1947 for adjudication. The reference is :

"Whether the action on the part of Regional Office of New India Assurance Co. Ltd., Cochin in terminating the services of Shri K.J. Franci, temporary typist, New India Assurance Co., Tripurayur Branch, w.e.f. 9-5-96 is legal and justified? If not, to what relief the workman is entitled to?"

2. The facts of the case in brief are as follows :—

The workman, Shri K.J. Franci was working in Tripurayur Branch of the New India Assurance Company as Assistant Typist. He had worked for more than 240 days continuously. When the worker requested for regularization in service, the Branch Manager assured that as and when there is vacancy he would be absorbed in a suitable job. On that guise a signed blank paper was obtained by the Branch Manager which was later filled up by him creating a document requesting for withdrawal of his claim for regularization. Besides, instead of considering the request of the workman he was terminated from service without notice or retrenchment compensation. After the termination of the workman another person by name Shyji was appointed and later a permanent staff from Malappuram Branch was transferred and posted in place of the workman. It is the practice of the company to absorb part-time temporary employees in regular service of the company.

Hence the workman prays for regularization in service and for benefits due to him on account of illegal termination.

3. The New India Assurance Company contends that it is the Chairman and Managing Director who has to sanction vacancies. No appointment can be made without concurrence of the Head Office of the Company. As per Recruitment Rules, a test has to be conducted, which prescribes minimum qualification for appearance in the test. The worker in this case was not appointed as temporary typist or in any other capacity in the company at any point of time. He was engaged for a few days on casual basis at Tripuray Branch by the then Branch Manager purely on a time-frame basis to clear temporary work. He was paid for such engagement from the petty cash account of the branch. He has no right for regular employment. He was not appointed against any sanctioned vacancy. He was not appointed in compliance with Recruitment Rules. He was never engaged continuously for 240 or more days in an year. The Branch Manager is not the competent authority for appointment. No offer was made by the management for employment in the company. He was engaged for temporary work and when it was completed he was disengaged. Though he had applied for regularization in service, after he was made to understand the service conditions, he withdrew his request for regularization. There is no illegality or impropriety in disengaging the workman. He is not entitled to any relief.

4. In the light of the above contentions, the only point that requires consideration is :

"Whether the termination of service of Shri K.J. Franci is legal and justifiable?" The evidence consists of the oral testimony of WW 1 and 2 and documentary evidence of Exts. W1 to 3 on the side of workman and MW1 and Exts. M1 to 9 on the side of management.

5. The Point :

The workman, Shri K.J. Franci was taken in service of the Company in Tripuray Branch on a temporary basis admittedly. According to the workman he had worked as Assistant Typist on casual basis from 19-6-1992 to 10-5-1996 continuously. When he requested for regularization he was terminated from service. The management denies that he was taken in service in a proper manner. However he was engaged by the Branch Manager on piecemeal basis as Assistant Typist in the exigencies of work during a temporary period. When that work was over his service was stopped.

6. It is to be noted that the reference is regarding legality of termination of service. However it appears that the worker had raised an industrial dispute regarding regularization in service. Ext. M1 is a representation of the worker to the Regional Manager of the Company requesting for regularization in service. Ext. W2 is a complaint of the Union to Assistant Labour Commissioner (Central) raising a dispute regarding non-regularization in service. Ext. M8 is failure of conciliation report. The last paragraph of the

report shows that the demand of the union for regularization could not be met due to divergent views of both sides. Besides, the contention of the union is narrated in the failure report (Ext. M8). That also shows that the union was harping upon the issue of regularization and not legality of termination. Ext. M9 is a letter of worker addressed to the management requesting to withdraw his prior representation (Ext. M1) for regularization in service. All these documents go to show that the dispute actually raised by the union as well as the worker was regarding regularization in service. The claim statement in the relief portion (last Para) also clarifies the position that the union proceeded on the basis that the adjudication is regarding regularization. However the reference is regarding legality of termination. But in view of the reference this court is bound to adjudicate only that issue about the legality or otherwise of termination of service of the worker.

7. It is an admitted fact that the worker was working as a casual employee in the post of Assistant Typist. In order to claim a right under Industrial Dispute Act (S-25F) he has to complete a continuous service of 240 days prior to his termination or disengagement. According to the worker he had put in more than 240 days' service prior to his termination on 10-5-1996. He contends that the vouchers signed by him and handed over to the management would prove this fact. However the management denies in their written statement that the worker had worked continuously for 240 days or more at any point of time during a period of one year, much less during an year prior to his termination. They contend that due to exigencies of work in Tripuray Branch the then Branch Manager had engaged the worker for a temporary period on piecemeal basis. It is also contended that there was no sanctioned vacancy at that time. As per Recruitment Rules a workman has to satisfy the qualification and age and appear for a written test and pass the examination.

8. It cannot be disputed that the burden to prove that the workman had put in a service of 240 days or more is on the workman. He had summoned vouchers from the management. Ext. M2 series were produced by the management. But they are only 9 vouchers pertaining to the period from 5-5-1995 to 10-4-1996. It is not disputed that the wages were paid on daily basis against signed vouchers. However the worker has a case that besides Ext. M2 series vouchers there are other vouchers in the possession of the company which would show that though the name of the worker do not appear in other vouchers they were signed by him. The worker complains that all the vouchers pertaining to the period from 1992 to 1996 are not produced by the management. However the management, while producing 9 vouchers, had filed a statement to the effect that there are no vouchers signed by the worker with names of other workers. The management contends that the worker is trying to perpetuate fraud by raising such an allegation. It is to be noted that the worker had no such case prior to the evidence stage. There is no such claim of having issued signed vouchers in blank papers and having

the company inserted the names of others in order to defeat the rights of the workman. Before the ALC also no such claim was made by the workman. Ext. M8 is the failure of conciliation report wherein the contentions of the worker are narrated. But the worker has a case that all the records relating to the periods from 1992 to 1996 were produced by the company before ALC. They were returned to the company from the office of ALC later. However those records in full are not produced before this court. The answer of the management is that the records called for before ALC related to entire temporary workers worked during the period 1992 to 1996 and it was not confined to the worker alone. Hence, after perusing the records the unrelated documents were returned to the management. The reference came up before the Industrial Tribunal after a lapse of two years after failure of conciliation. During this period, as per rules of the company all documents older than 5 years, were destroyed, retaining those related to litigations. Thus the vouchers pertaining to the worker in this case were retained and they are Ext. M2 series produced before this court. It is admitted by the union secretary (WW2) that the case of the worker, that signed vouchers containing the names of some other workers were given to management by the worker, is raised for the first time before court and not before ALC. This contention was put forward only at the time of evidence when the worker (WW1) was examined. It is difficult to believe that a person having sufficient education and having worked as typist, had given signed blank vouchers to the management or given signed vouchers in the names of some other workers. No literate person would do so. If the version were true he would have raised it at the first instance when he got an opportunity to make a representation to management or before ALC. Ext. M7 is a letter of Divisional Manager to HRM Department stating that disbursement books for the period from June 1992 to June 1996 of Tripur Branch were being forwarded. It was further stated that those records included the payment made also to one Mr. Jose. The HRM Department was asked to peruse the actual vouchers before submitting them to Labour Commissioner. This clarifies the position that all vouchers pertaining to temporary workers for the period 1992 to 1996 were produced before ALC. The worker has not summoned any co-worker of the branch or similar temporary workers, if any, during the relevant period to support his case. No such attempt was made by the worker. The materials on record do not go to show that he had worked 240 days during any year or 12 months prior to his termination. In order to claim any right under I.D. Act he has to complete a continuous service of 240 days prior to his termination. The worker has failed to discharge his burden to prove the same. Moreover, Ext. M9 (original) is the request made to the Regional Manager on 15.7.1996 to withdraw his representation for regularization (Ext. M1). It could be perhaps said that it was a request for regularization and he had not questioned the legality of termination in Ext. M1. But the workman has a further case that the then Branch Manager on the guise of offering a suitable job for the workman got a signed

blank paper from the workman which was utilized to create Ext. M9 request for withdrawal of the representation. It is a cock and bull story, not expected of a literate person. It is dated 15.7.1996. The worker was terminated on 10.5.1996. No sensible person would give a signed blank paper to the employer once he was sent out of service. The signature in Ext. M9 is admittedly that of the worker.

9. No appointment order was given to the worker when he was engaged. Since he has not acquired any right under I.D. Act there is no question of issuing a notice or giving retrenchment compensation as contemplated u/s-25F of I.D. Act. He was engaged intermittently for some period which does not satisfy the conditions u/s-25F of I.D. Act. Therefore there is no illegality in stopping the service or terminating the service of the worker.

10. It was contended by the worker that there was a custom of regularizing temporary workers in the management company. Two such cases of temporary workers, Raju and Komalavalli, were pointed out and admitted by MW1. But the management witness says that they were regularized on the basis of an award of labour court and not of own accord of the company. However he admits that there was such practice earlier, but at the relevant time there were Recruitment Rules prevailing. Ext. M3 is Recruitment Manual (relevant section). Paragraph 5.4 of the R/Rs says that for appointment in the clerical cadre including stenographers and typists a written test has to be undergone by the candidates and he/she has to pass the test. However in this case the appointment was not regular but only temporary for which recruitment rules do not provide any provision. It contains only a provision for part-time employees and regular employees. That apart, even if the worker was taken illegally by the Branch Manager he gets a right once he completes a continuous service of 240 days prior to his termination. Since he is not able to prove such continuous service he cannot question the propriety and legality of termination. The point is answered accordingly.

11. In the result, an award is passed finding that the termination of service of Shri K.J. Franci is legal and justified. He is not entitled for any relief. The parties will suffer their respective costs. The award will take effect one month after its publication in the official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 11th day of April, 2007.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Workman/Union :

WW1 - Shri K.J. Franci.

WW2 - Shri K.G. Prabhakaran

Witness for the Management :

MW1 - Shri T. Karunakaran.

Exhibits for the Workman/Union:

- W1 - Photostat copy of letter dated 8.7.1997 issued by the Regional manager, New India Assurance Company to the workman.
- W2 - Photostat copy of statement submitted by the union to ALC(C), dated 28.4.1998.
- W3 - Copy of petition dated 16.2.1998 filed by the union before ALC(C), Ernakulam.

Exhibits for the Management :

- M1 - Photostat copy of application dated 28.5.1996 submitted by the workman.
- M2- Vouchers for the period from 5.5.1995 to 10.4.1996 series (9 Nos.)
- M3 - Photostat copy of Recruitment Rules.
- M4 - Photostat copy of letter dated 8.7.1997 issued by the Regional Manager to the workman
- M5 - Photostat copy of letter issued by the Regional Manager to the General Secretary of the union.
- M6 - Photostat copy of circular No.ERO:PERS:96 dated 4.6.1996.
- M7 - Letter No. 760300/HRM/MVK/98 dated 27-2-1998 issued by the Divisional Manager to Dy. Manager along with statement.
- M8 - Photostat copy of failure of conciliation report by ALC(C) dated 4.6.1998.
- M9 - Letter dated 15.7.1996 written by the worker to Regional Manager.

नई दिल्ली, 19 अप्रैल, 2007

का.आ. 1429.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मार्मागॉव पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-1, मुम्बई के पंचाट (संदर्भ संख्या 25/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-04-2007 को प्राप्त हुआ था।

[सं. एल-36011/9/2004-आईआर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 19th April, 2007

S.O. 1429.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 25/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Port Trust and their workman, which was received by the Central Government on 19-04-2007.

[No. L-36011/9/2004-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1,
AT MUMBAI**

PRESENT

Justice Ghanshyam Dass : Presiding Officer

REFERENCE NO. CGIT-25 OF 2006

Employers in relation to the management of Mormugao Port Trust

AND

Their workman, (Late) Ms. Maria C. Fernandes

APPEARANCES

For the Management : Shri M.B. Anchan,
Advocate

For the Workman : No appearance

Mumbai, dated this the 10th day of April, 2007

AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (the Act for short) vide Government India, Ministry of Labour, New Delhi Order No. L-36011/9/2004-IR (B-II) dated 17-08-2006. The terms of reference given in the schedule are as follows :

"Whether the action of the management of Mormugao Port Trust, Gao in not paying legal dues of (Late) Ms. Maria C. Fernandes to her successors/legal heirs is legal and justified? If not, to what relief the legal heirs/successors of (Late) Ms. Maria C. Fernandes is entitled for".

2. Mr. M.B. Anchan, Advocate is present for the Management Non appeared for Mormugao Waterfront Workers' Union when the matter came up for hearing today. The ex-parte notice was issued to the Union. Service has been affected by the Registered post upon the General Secretary of the Union. He is absent. No request is received for adjournment. The record goes to show that the Union is not taking any interest for pursuing the instant reference. The matter is heard ex-parte. Since the Union has not turned up despite service of notice to contest the reference, the same is liable to be dismissed for non-prosecution.

3. Reference is accordingly dismissed.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1430.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लार्ड कृष्णा बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अर्नाकुलम, कोची के पंचाट (संदर्भ संख्या

28/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-12011/21/2003-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S.O. 1430.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 28/2006) of the Central Government Industrial Tribunal/Labour Court Ernakulam, Kochi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Lord Krishna Bank Ltd., and their workmen, which was received by the Central Government on 24-04-2007.

[No. L-12011/21/2003-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM PRESENT

Shri P.L. Norbert, B. A., L. L. B., Presiding Officer
(Thursday the 5th day of March, 2007/15th Chaitra, 1929)

I. D. 28/2006

(I. D. 48/2003 of Labour Court, Ernakulam)

Workman/Union :	The General Secretary Lord Krishna Bank Employees' Union Nair Samajam Building Chendamangalam Kochi-683 512 Adv. Shri Ashok B. Shenoy
Management :	The Chairman Lord Krishna Bank Ltd., Reg. & Admn. Office Kaloor Kochi-682 017. Adv. Shri Saji Varghese.

AWARD

This is a reference made by Central Government under Section 10(1)(d) of Industrial Disputes Act, 1947 for adjudication. The reference is:

“Whether the action of the management of Lord Krishna Bank Ltd., in sanctioning more number of special increments to a candidate (who is a voluntarily retired employee and recruited) than S/Shri Unni Mohan G and S. Ramakrishnan while he is junior to them, is justified? If not, to what relief S/Shri Unni Mohan G and S. Ramakrishnan are entitled?”

2. The facts of the case in brief are as follows :—

S/Shri Unni Mohan G. and S. Ramakrishnan were employed as clerks in Lord Krishna Bank in March, 2001. Their pay was fixed at Rs. 3290. In terms of the Bipartite Settlement. Several other persons were appointed as clerks subsequently and their pay was fixed at higher stage than Unni Mohan and Ramakrishnan. As a result, juniors to the workmen were getting higher pay than the workmen. This is arbitrary, unjust, illegal and violative of the rule of equality. The management has discriminated the workmen. Hence the management is bound to re-fix the pay of the workmen so that their pay is either equal to the pay or higher than the pay of their juniors.

3. According to the management, Shri S. Ramakrishnan has left the service of the bank. Shri Unni Mohan is promoted and he has no grievance now. The pay of S/Shri Unni Mohan and Ramakrishnan were fixed as per Bipartite Settlement of 27-3-2000. While fixing the initial pay, several facts like educational qualification, previous experience, salary last drawn, etc. are taken into consideration. Persons who possess more qualification and experience will be given increments depending on their qualification and experience at the discretion of the management. S/Shri Unni Mohan G and S. Ramakrishnan were graduates and hence their pay was fixed at Rs. 3290 giving two increments initially. There is no illegality in fixing the starting basic pay of appointees having higher qualification, more experience, professional aptitude, etc. at a higher stage than the workmen. It is in consonance with the provisions of Bipartite Settlement. There is no violation of the principles of equality. Clause 122 of *Sastri Award* confers discretion on the management to fix higher salary to any of its employees. It is not an unfair labour practice. Hence the workmen, S/Shri Unni Mohan G. and Ramakrishnan are not entitled for any relief.

4. A replication was filed by the union on behalf of the workmen challenging the contentions of the management and reiterating the contentions in the claim statement. The short point that arises for consideration is:

“Whether the bank has the discretion to fix the starting basic pay at a higher stage counting previous experience of an appointee?”

The evidence consists of the oral testimony of MW1 and Exts. W1 to 3 on the side of workmen, Exts. M1 and M2 on the side of the management and Court Exts. X1 to X4(b).

5. The Point :

Shri Unni Mohan G. joined service of Lord Krishna Bank as clerk on 14-3-2001. Shri S. Ramakrishnan joined service as clerk on 15-3-2001. Both were graduates. Hence, in tune with the Bipartite Settlement their starting basic pay was fixed granting two additional increments at Rs.3290. Ms. Vandana Gupta joined service of the bank as clerk on 11-7-2002. She too was a graduate. In addition, she was having experience as customer care officer in Hutch Mobile Company. Hence she was given seven additional

increments in the beginning itself and her pay was fixed at Rs.4420. Exts. X1, X2 & X3 are appointment orders of these three appointees. Exts. X4, X4(a) and X4(b) are the Service Register relevant folios of Unni Mohan, Ramakrishnan and Vandana Gupta. Because of the disparity in pay Ramakrishnan and Unni Mohan made representation to the management and union to rectify the anomaly and the representations are Exts. W1 & W2 respectively. The grievance of the workmen, Ramakrishnan and Unni Mohan are that Ms. Vandana Gupta is given seven increments in the beginning and though she is a junior she is drawing much higher pay than the workmen. This, according to workmen, is illegal, arbitrary and against the rule of equality. All the three belong to the same category of clerks and discharge the same kind of duties and hence the workmen are entitled to get the same pay, if not higher. The management however sticks to their stand and say that there is nothing wrong in fixing the pay differently according to their qualification and experience.

6. The learned counsel appearing for the management raised mainly three-fold contention, that the dispute has become infructuous, that Para-122 of *Sastri Award* protects the action of the management and that the said provision of *Sastri Award* is not superseded by subsequent Bipartite Settlements.

7. According to the management, Shri S. Ramakrishnan has resigned from service and Shri Unni Mohan G is promoted and he is not interested in the dispute. Ext. M2 is a letter written by Shri Unni Mohan to the management stating that he is not interested in the dispute and he is withdrawing his representation made against the bank through the union. The letter is dated 8-10-2005. The union does not dispute that Shri Ramakrishnan has resigned from the job. But the dispute was raised through union and the matter was taken up for conciliation before ALC(C). The conciliation failed and hence reference was made. Ext. W3 is the written statement submitted before ALC by the management. Shri Ramakrishnan has not come forward before this court to say that he is not interested in the dispute. That apart, the cause of the employees was espoused by the union. Though in the reference the name of two employees, Unni Mohan and Ramakrishnan alone are mentioned it does not mean that it is not a common cause. However it was argued by the learned counsel for the management that if it were a common issue the reference should have been couched in a different fashion and not in the manner now drafted. However it has come out from the testimony of management witness, MW1, in the cross-examination, that besides Ms. Vandana Gupta, four more persons recruited later were given similar increments like given to Vandana Gupta. In the light of this revelation by the management witness himself, the contention of the management, that the dispute is no more alive as the two workmen are not interested in the dispute, cannot be countenanced. It has become a recurring feature with the management and assumes the character of a common issue. That apart, once reference is made it is for the court to

decide that issue unless the aggrieved party withdraws the reference. The union is the party before this court which has espoused the cause of workmen. They have not withdrawn the dispute. Therefore, the issue is very much alive and has to be decided.

8. The bank relies on Para-122 of the *Sastri Award* which, according to them, protects the action of the management. It reads as follows :

"It is desirable to make clear that the scales of pay and dearness allowance and special allowances which we are laying down in our award represent only the minimum to which a workman will be entitled. It is not our intention to fetter the discretion or power of any bank to give its workmen or any of them higher salaries or wages or higher dearness allowance or additional allowance or benefits not mentioned in our award. Similarly, even with reference to increments, the banks will have the liberty to give more than one increment in any particular year."

The provision, no doubt, gives freedom to the bank to give to its workmen higher salaries or wages or allowances than what is fixed in the *Sastri Award*. The sentence in Para-122 "It is not our intention to fetter the discretion or power of any bank to give its workmen or any of them higher salaries or wages or higher dearness allowance....." is interpreted by the learned counsel for the management, as meaning that high pay can be fixed for all workmen of a cadre or for anyone of them. It is difficult to accept the argument because the next sentence of Para-122 refers to 'increments' specifically whereas the previous sentence refers to 'salary'. 'Salary' means 'the total monthly emoluments including all allowances' and it is not confined to basic pay alone. To be more precise, salary not only takes in increments received by an employee yearly, but all kinds of allowances as well except exempted allowances. Therefore, when there is a specific part in Para-122 which refers to increments alone, it is not correct to say that the reference to 'salary' is also reference to increments. Even that part of the provision which refers to 'increments' says: 'similarly even with reference to increments, the banks will have the liberty to give more than one increment in any particular year'. It only says that more than one increment can be given in a particular year and not that it can be given at the discretion of the management to any particular employee. It is so provided because the increments are normally annual. This cannot be interpreted to mean that more increments than one can be given to any particular employee or employees.

9. It is relevant to refer to Para-94 and 121 of the *Sastri Award* in the context. Para 94 says that the Tribunal is of the opinion that the best method is to have one uniform basic scale for all employees of each group of banks. But with reference to different areas it is better to provide for higher initial starts in the same scale. It can be supplemented by further house rent allowance in certain important cities, etc. Thus *Sastri Award* had intended a uniform pay scale for all employees of a category or group.

10. Para-121 refers to special increments and benefits to be given to employees. It reads :

"121. We also give the following further directions with reference to the implication of the above scale of pay:

- (1) Graduate employees will get additional two increments at the start if they are already graduates, or later, on graduation while in service.
- (2) Similarly, employees who pass Part I of the examination of the Institutes of Bankers (English, Scottish, Irish or Indian) will have one increment. When they pass Part II, they will have another increment. The increments will also be admissible to such recruits as have passed these examinations.
- (3) There will be only one efficiency bar in the respective scales of pay which will be at the end of the twentieth year of service.
- (4) Nor Poddars, Collecting Sircars, Money-testers and Gollas the maximum will be the pay as at the end of the twentieth year in each of the scales.
- (5) No employee shall have his basic pay reduced by being transferred to an area where a lesser pay scale applies even though such basic pay may be more than the maximum of the scale fixed for the new station, and he will continue to have the usual increments as from such basic pay onwards. An employee who is transferred to a place where a higher pay scale applies shall have the benefit of such higher scale of that area, i.e. his basic pay should be re-fixed in the higher scale according to the length of service rendered by him, together with the benefits of any special increment and subject to the deduction of any increment withheld. If, however, such an employee is reverted back from a higher area to a lower area he will thereafter be governed by the pay scale of that area provided however he has not completed a total service of one year in the higher area."

Sub-clauses (1) and (2) of Para-121 say that graduate employees will get additional two increments at the start and others as and when they graduate while in service. So also, employees passing part I and II examinations of the Institutes of Bankers whether before appointment or after will also get one additional increment. However Para-121 does not refer to any other qualification or service experience enabling an appointee to get additional increments. Had Sastri National Tribunal intended to include other qualification other than mentioned above it would have provided so in Para-121 of the award. It is pertinent to note that Unni Mohan, Ramakrishnan and Ms. Vandana Gupta

and four others subsequently recruited, belonged to clerical cadre. It does not require expertise or long experience unlike the officer cadre. A higher qualification or a previous experience may be a ground for promotion, but not for increments except to the extent provided in Para-121 of the award. The management is attempting to supply what is not there in Para-121 by interpreting 'salaries' in Para-122 as 'increments'. When there is a specific Para (121) providing for additional increments on the basis of enumerated qualifications, had the Tribunal intended previous experience as a ground for additional increments, it would have provided so in Para 121. Therefore, Para-122 does not confer power or discretion on the management to grant additional increments to an appointee on the basis of his previous experience and fix starting basic pay accordingly. Thus the action of the management in conferring seven increments (out of them two increments for graduation and the remaining five for experience) to Ms. Vandana Gupta, cannot be justified.

11. The next contention of the management is that Para-122 of *Sastri Award* is not superseded by subsequent Bipartite Settlement. The 1st Bipartite Settlement dated 19-10-1966, Para 1.1 says that provision of *Sastri Award* and *Desai Award* shall govern the service conditions except to the extent modified by Bipartite Settlements. From 1966 till 7th Bipartite Settlement dated 27.3.2000, which is applicable to the present case, the last part of Para-122 regarding increments is neither modified nor superseded. The scale of pay was revised from time to time as per Bipartite Settlements. Thus the contention of the management, that the clause with regard to increments mentioned in Para-122 of *Sastri Award* is not superseded by subsequent settlements, is correct. However that will not save the situation. The management has no discretion to confer additional increments according to their whims and fancies. Previous experience of an employee in a different institution is not to be counted as per the terms of *Sastri Award*. Only graduation increments and increments for passing bank tests alone are contemplated. Therefore the action of the management in conferring five more increments besides the graduation two increments to Ms. Vandana Gupta at the start is illegal and incorrect. Admittedly four more persons were given the same benefits. This disparity in pay between seniors and juniors or between persons similarly placed is bound to create despair and discord among workmen and it is an unhealthy labour practice. The management should be guided by the terms of Settlements or Award or service law. But they have travelled beyond the pales of law and award and granted more benefits to some and denied the same to others similarly situated. In the eye of law Unni Mohan, Ramakrishnan and Vandana Gupta had the same qualification being graduates and they could get only two additional increments at the start. Since Ms. Vandana Gupta was given seven increments who was recruited one year after the other two were recruited, the pay of Unni Mohan and Ramakrishnan has to be stepped up either to equalize

with that of Vandana Gupta or even higher or the pay of Vandana Gupta has to be reduced and excess amount recovered. The position is fortified by the judgment of Division Bench as well as Single Bench of the Hon'ble High Court of Kerala. In *Kamala Devi v. The Kerala State Financial Enterprises Ltd.* 2002 (1) I.L.R. (Ker.) 86 it was observed in paras 7 and 8 of the judgement that conferring higher pay to a junior is discriminatory and violative of A-14 of Constitution which guarantees equality before law and equal protection of laws and hence it suffers from the vice of 'under inclusiveness'.

In *R. Madhavan Assan v. K.S.S.I.D. & E. Corpn. Ltd & Ors.* 1992 II-L.L.J. 341 in paragraph 7 it is held that it is a fundamental principle of service law that when everything else is equal a senior in service should receive a salary higher than or at least equal to that drawn by his junior.

In the light of these observations in the decisions and in view of the provisions in Sastry Award referred above, the action of the management in granting additional increments on the basis of previous experience cannot be justified. The resultant position is that seniors are getting less pay than juniors. This is arbitrary, illegal and denial of equal pay for equal Work. This anomaly has to be rectified by the management.

12. In the result, an award is passed finding that the action of the management in sanctioning more number of special increments to a candidate than S/Shri Unni Mohan G and S. Ramakrishnan and denying the same to the latter is illegal and unjust. The management has to rectify the anomaly in pay and equalize the pay. Parties will suffer their respective cost. The award will take effect one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 5th day of March, 2007.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Workman Union :

Nil.

Witness for the Management :

MW1—Shri Erwin Fernandez.

Exhibits for the Workman/Union :

W1 — Photostat copy of letter dated 30.10.2002 written by Shri S. Ramakrishnan to the management.

W2 — Photostat copy of letter dated 9.10.2002 written by Shri Unni Mohan G to the General Secretary of Union.

W3 — Photostat copy of letter dated 7.1.2003 issued by the management to ALC(C), Kochi.

Exhibits for the Management:

M1 — Photostat copy of page no.39 of the Sastri Award.

M2 — Photostat copy of letter written by Shri Unni Mohan to the Union.

Exhibits for the Court :

X1 — Photostat copy of appointment order dated 26-2-2001 issued to Shri Unni Mohan G.

X2 — Photostat copy of appointment order dated 26.2.2001 issued to Shri S. Ramakrishnan.

X3 — Photostat copy. of appointment order dated 4.6.2002 issued to Ms. Vandana Gupta.

X4 — Photostat copy of Service Register of Shri Unni Mohan G.

X4(a)—Photostat copy of Service Register of Shri S. Ramakrishnan.

X4(b)—Photostat copy of Service Register of Ms. Vandana Gupta.

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1431.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पश्चिमी रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय एवं औद्योगिक अधिकरण/श्रम न्यायालय, अजमेर के पंचाट (संदर्भ संख्या 1/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-41012/105/2001-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S.O. 1431.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1/2002) of the Industrial Tribunal-cum-Labour Court, Ajmer now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway and their workman, which was received by the Central Government on 24-04-2007.

[No.L-41012/105/2001-IR (B-1)]

AJAY KUMAR, Desk Officer

अनुबन्ध

न्यायालय श्रम एवं औद्योगिक न्यायाधिकरण,
अजमेर (राज.)

पीठासीन अधिकारी : श्री जी. एस. शेखावत, आरएचजेएस

प्रकरण संख्या—सीआई-टी-आर.01/02

(रेफरेंस सं. एस-41012/105/2001-आईआर (बी-1))

दिनांक 18-12-2001

श्री किशनसिंह पुत्र श्री खुजालीराम, म. नं. 915/31,

बसंत भवन, गुज्जरटोला,

नगर अजमेर

....प्राथी

बनाम

दी डिप्टी चीफ वर्कशॉप इंजीनियर (कंरिज)

वेस्टर्न रेलवे, अजमेर,

अप्राधी

उपस्थित : श्री पी. डी. खन्ना, अधिवक्ता, प्राथी,

सुश्री गुरमीत कौर, अधिवक्ता, अप्राधी :

दिनांक : 09-3-07

अवार्ड

केंद्र सरकार द्वारा प्रेषित विवाद निम्न प्रकार हैं:-

"क्या श्री किशनसिंह पुत्र श्री खुशालीराम को उपमुख्य यांत्रिक इंजीनियर (कंरिज) पश्चिम रेलवे, अजमेर द्वारा दि. 22-10-1992 से सेवा से पृथक् किया जाना उचित एवं सही है? यदि नहीं तो श्रमिक किस राहत का अधिकारी है?"

नोटिस के उपरान्त उभयपक्ष उपस्थित आये।

प्राथी ने क्लेम के विवरण में अंकित किया है कि प्राथी की नियुक्ति प्रतिनिधि के अधीन खलासी के पद पर दि. 23-11-1970 को हुई थी। प्राथी अपनी पदोन्नति के द्वारा रिक्टर, फिटर, ग्रेड-III, फिटर ग्रेड-2 पास कर फिटर ग्रेड-1 पर कार्यरत था। प्राथी ने 21-4-1991 तक निरंतर स्थाई कर्मचारी के पद पर अपनी सेवाएँ दी हैं। प्रतिपक्षी सं. 2 ने दिनांक 9-3-1992 को प्राथी को एक आरोप पत्र जारी कर दिनांक 22-4-1991 से 19-7-1991 तक अनाधिकृत अनुपस्थित रहने का आरोप लगाया। प्राथी ने निजी चिकित्सक का प्रमाण-पत्र पेश किया जिससे कि कर्मचारी आचरण नियम 60 के नियम 3 के उपनियम 2 य. 3.3 अंतर्गत मानकर प्राथी को उत्तरदायी समझा। प्राथी ने जबकि वे अपने वास्तविक स्थिति से अलग कर दिया था। प्राथी ने अपना सिक. रिकॉर्ड 16/17-7-1991 को भेजा किंतु प्रतिपक्षीगण ने रांगी प्रमाण प्राथी को नहीं माना। प्रतिपक्षी ने पुनः एक आरोप पत्र दि. 25-5-1992 को इस आशय का जारी किया कि दि. 3-8-1991 से प्राथी निरंतर अनाधिकृत रूप से अनुपस्थित चल रहा है जिसका जवाब भी प्राथी ने प्रस्तुत कर दिया था। दि. 25-6-1992 के रजिस्टर्ड पत्र द्वारा प्राथी को सूचित किया कि विभागीय जांच 9-7-1992 को निश्चित की गयी है। उस दिन प्राथी उपस्थित हुआ। जांच कार्यवाही हेतु अग्रिम तिथि 21-7-92 नियत की गयी। प्राथी ने 9-7-1992 को अपने प्रतिनिधि का नाम व टिकट नंबर से प्रतिपक्षीगण को लिखित में सूचित किया किंतु पुनः दिनांक 21-7-1992 के पत्र द्वारा प्राथी को 27-7-1992 जांच कार्यवाही की तारीख नियत की सूचना भेजी और जांच प्रतिनिधि का नाम और स्वीकृति से सूचित करने को कहा। दिनांक 27-7-1992 को प्राथी अस्वस्थ हो गया था अतः उपस्थित होने में असमर्थ था इसकी सूचना भी पत्र द्वारा प्रतिपक्षीगण को दे दी थी किंतु फिर भी अग्रिम तारीख 9-8-1992 नियुक्त थी उस दिन भी प्राथी अस्वस्थ था जिसका प्राथी पत्र भी जांच अधिकारी को भिजवा दिया था किंतु फिर भी एकपक्षीय जांच कार्यवाही पूर्ण कर ली जिसकी जांच रिपोर्ट के आधार पर प्राथी को दिनांक 22-10-1992 के पत्र द्वारा रेल सेवा से निष्कासित कर दिया। निष्कासन का आदेश एकपक्षीय और मनमानी होने से निरस्तनीय है। प्राथी दिनांक 27-7-1992 को गंभीर रूप से बीमार था मानसिक संतुलन खो बैठा था उसके सोचने समझने की शक्ति क्षीण हो गयी थी जिसकी सूचना भी प्रतिपक्षी को दे दी गयी थी किंतु प्रतिपक्षी ने उसको

नजरअंदाज कर दिया। प्राथी ने अपनी 23वर्ष की सेवा-अवधि में अनाधिकृत रूप से अनुपस्थित नहीं रहा। प्राथी के पिता का अचानक स्वर्णवास हो गया था इस कारण भी प्राथी अनुपस्थित रहा था। अंत में सुनवाई का अवसर नहीं दिये जाने के कारण प्राथी के विरुद्ध की गयी जांच प्राकृतिक न्याय के सिद्धांतों के अनुकूल नहीं होने के कारण अवैध है। अंत में सेवामुक्ति आदेश को निरस्त कर गत वेतन भत्तों सहित पुनर्स्थापित करने की प्रार्थना की है।

प्रतिपक्षी ने उत्तर में अंकित किया है कि प्राथी ने लगातार 23-11-1970 से 21-4-1991 तक सेवा नहीं दी। प्राथी 1984 और 1990 में अनाधिकृत रूप से अनुपस्थित रहा। सात बार अनुपस्थिति के कारण लघु और बड़ी शक्तियों ने प्राथी को दंडित किया गया। प्राथी को दि. 22-4-1991 से 19-4-1991 तक अनाधिकृत रूप से अनुपस्थित रहने पर रेल सेवा से निष्कासित किया गया। प्राथी द्वारा अनुपस्थिति के संबंध में निजी चिकित्सा का प्रमाण-पत्र रेलवे डॉक्टर को प्रस्तुत किया जिसके आधार पर रेलवे चिकित्सा अधीक्षक ने ड्यूटी-प्रमाण पत्र जारी कर नोट 'एसआर 2/7 नोट फोलोड' रिमार्क लगा दिया। इस प्रकार प्राथी ने रेलवे द्वारा जारी छुट्टी के नियमों की पालना नहीं की इस प्रकार प्राथी का छुट्टी का आवेदन पत्र रेलवे नियमों के अंतर्गत मान्य नहीं माना गया। अतः प्राथी को आरोप पत्र जारी किया गया और जांच के पश्चात् दोषी पाये जाने पर प्राथी को विधि-सम्बत रूप से दंडित किया गया है। प्राथी 6-8-1992 को जांच अधिकारी के समक्ष उपस्थित नहीं हुआ अतः मजबूर होकर अनेक पत्रों के उपरान्त जांच अधिकारी एकपक्षीय कार्यवाही करनी पड़ी। जांच रिपोर्ट की प्रति भी प्राथी को दी गयी किंतु उसने कोई बचाव प्रस्तुत नहीं किया। प्राथी अपनी सेवाकाल में वर्ष 1976, 1980, 83-84 और 1990 में अनाधिकृत अनुपस्थित रहा है अंत में आदेश निरस्त करने की प्रार्थना की है।

उभयपक्ष का श्रवण किया, पत्रावली विभागीय जांच की पत्रावली, भारतीय रेल स्थापना संहिता का अध्ययन किया।

प्राथी ने निम्न दृष्टांत प्रस्तुत किये:-

1. 2007 लैव आई. सी. (बी एंड एच) 315,
2. 2000 (1) आरएलआर 631,
3. 2004 (1) आरएलआर 212,
4. 1989 एलआईसी (एस.सी.) 1043,
5. 2000 एलएआर (एससी) 343,
6. 1990 (3) एसएलआर 553,
7. 2000 (3) आरएलआर 20,
8. 1999 एलआईसी (एससी) 11ए,
9. 2001 एलआईसी (एससी) 463,
10. 2004 एलआईसी (ग्रेज.) 1438,
11. एआईआर 1994 (एस. सी.) 1074,
12. एआईआर 1986 (एस. सी.) 1173,
13. 1990 (3) एसएलआर 201

प्रतिपक्षी की ओर से निम्नांकित दृष्टांत प्रस्तुत किये गए:-

1. 2003 (एस. सी.) (2) 359,

2. 2006 (6) एस. सी. 295,
3. 2002 एस. एल. आर. दिल्ली हाईकोर्ट 618,
4. 2005 एस. एल. आर. एस. सी. 286,
5. 1996 एस. सी. (एल एंड एस) 821

उक्त दृष्टांतों का ससम्मान अध्ययन किया।

जहां तक जांच के प्राकृतिक न्याय के सिद्धांतों के अनुरूप होने के प्रश्न का संबंध है, प्रार्थी के विरुद्ध प्रदर्श एम-7 के अनुसार 22-4-1991 से 19-7-1991 तक 89 दिन अनाधिकृत अनुपस्थिति का आरोप पत्र जारी किया था। यह स्वीकृत तथ्य है कि प्रार्थी ने प्राईवेट चिकित्सक का लापता प्रमाण पत्र प्रस्तुत करने पर रेलवे डॉक्टर ने ड्यूटी प्रमाण पत्र जारी किया जिसमें यह नोट अंकित किया कि रेलवे नियम "एस. आर.-2/7 मोंट-कोलोड" रूग्णता अवकाश के संबंध में रेलवे नियम यह है कि प्राईवेट चिकित्सा करवाने पर तीन दिन में रेलवे डॉक्टर के समक्ष उपस्थित होकर जांच करवानी पड़ती है और वांछित प्रमाण पत्र प्राप्त करना होता है। किंतु प्रार्थी ने रेलवे चिकित्सा को 89 दिन की अवधि में नहीं दिखाया। उसके पश्चात् रेलवे चिकित्सक को दिखाने पर उसने ड्यूटी प्रमाण पत्र जारी किया। इस प्रकार प्रार्थी ने अनुपस्थिति के संबंध में रेलवे नियमों की पालना नहीं की। जहां तक जांच कार्यवाही का प्रश्न है, प्रार्थी ने प्रारंभ में बचाव प्रतिनिधि हेतु पदम सिंह का नाम और स्वीकृति हेतु लेकर प्रार्थना पत्र दिया था किंतु पदम सिंह ने बचाव प्रतिनिधि बनने से इंकार करते हुए प्रार्थना पत्र प्रस्तुत कर दिया अतः जांच अधिकारी ने बचाव प्रतिनिधि लाने हेतु प्रार्थी को अनेक पत्र प्रेषित किये किंतु उसने बचाव प्रतिनिधित्व नहीं किया। दि. 27-7-1992 की अनुपस्थिति के संबंध में प्रार्थी ने अपना प्रार्थना पत्र प्रस्तुत किया है जिस पर 6-8-1992 की अग्रिम पेशी जांच अधिकारी ने नियुक्त की किंतु प्रार्थी उस दिन उपस्थित नहीं हुआ अतः उसके विरुद्ध एकपक्षीय कार्यवाही की गयी। जांच रिपोर्ट की प्रति भी प्रार्थी को उपलब्ध करवायी और रजिस्टर्ड डाक से प्रार्थी ने प्राप्त की जिसके विरुद्ध प्रार्थी ने अपना प्रार्थना पत्र प्रस्तुत किया अतः प्रार्थी की जांच कार्यवाही में अनुपस्थित रहने के कारण एकपक्षीय रूप से साक्षियों के बयान लिये गये हैं। मेरे विनम्र मत में जांच कार्यवाही विधि सम्मत है। प्रार्थी को सुनवाई का पर्याप्त अवसर दिया किंतु उसने जांच कार्यवाही में भाग नहीं लिया अतः उसके विरुद्ध उचित रूप से एकपक्षीय कार्यवाही की गयी है। अतः जांच विधि-सम्मत है।

जहां तक दंड की मात्रा के प्रश्न का संबंध है, यह सुस्थापित सिद्धांत है कि यह न्यायालय अपीलीय न्यायालय के रूप में क्षेत्राधिकार नहीं रखती। अनुशासनिक प्राधिकारी के दंड में यह न्यायालय तब ही हस्तक्षेप कर सकता है जबकि दंड न्यायालय की अंतरात्मा को झकझोर देने वाला हो। समस्त तथ्यों एवं परिस्थितियों पर विचार करने के पश्चात् मैं इस निष्कर्ष पर पहुंचता हूँ कि प्रार्थी को दिया गया दंड न्यायालय की अंतरात्मा को झकझोर देने वाला नहीं है। अतः दंड में हस्तक्षेप किये जाने का कोई औचित्य नहीं है।

आदेश

फलतः प्रस्तुत विवाद का उत्तर इस प्रकार से दिया जाता है कि प्रार्थी श्री किशनसिंह पुत्र श्री खुजालीराम को उप मुख्य यात्रिक

इंजीनियर (के रेंज) पश्चिम रेलवे, अजमेर द्वारा दि. 22-10-1992 से सेवा से पृथक् किया जाना उचित एवं सही है। अतः प्रार्थी किसी अनुतोष या राहत का अधिकारी नहीं है।

जी.एस. शेखावत, न्यायाधीश

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1432.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एश्योरेंस कं. लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. II, नई दिल्ली के पंचाट (संदर्भ संख्या 65/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-17012/2/2003-आई आर (बी-1)]

अजय कुमार, सहायक अधिकारी

New Delhi, the 25th April, 2007

S. O. 1432.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (65/2005) of the Central Government Industrial Tribunal/Labour Court, No. II, New Delhi, now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. Ltd. and their workman, which was received by the Central Government on 24-4-2007.

[No. L-17012/2/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,
NEW DELHI**

**PRESIDING OFFICER: R.N. RAI, I.D. No. 65/2005
IN THE MATTER OF:**

Shri Lalji,

S/o Shri Ram Singh, Peon,
C/o Delhi Labour Union,
Agarwal Bhawan, G.T. Karnal Road,
Tis Hazari, Delhi - 110054.

Versus

1. The Chairman,
Divisional Manager/General Manager,
New India Assurance Co. Ltd., J-129,
D.C. House, Kirti Nagar,
New Delhi-110015.
2. Shri Rajiv Agarwal & Co. (Advocate)
G-40, Basement, Jangpura Extension,
New Delhi-110014.

AWARD

The Ministry of Labour by its letter No. L-17012/2/2003-IR(B.I) Central Government dt. 5-8-2005 has referred the following point for adjudication.

The point runs as hereunder :

"Whether the action of the management of New India Assurance Co. Ltd. J-129, D.C. House, Kirti Nagar, New Delhi in terminating the services of Shri Lalji with effect from 27-12-2001 is just, fair and legal? If not, what relief the workman is entitled to and from which date?"

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman Shri Lalji joined into the employment of M/s. New India Assurance Co. Ltd. w.e.f. 17-11-1997 as a peon. His last drawn wages were Rs. 1750 per month. He has unblemished and uninterrupted record of service to his credit.

That the services of the aforesaid workman have been terminated w.e.f. 27-12-2001 without assigning any valid reason thereof.

That the cause of termination of services of the workman was that since the initial date of his appointment, he was being paid wages less than those fixed and revised from time to time under the Minimum Wages Act. In view of this, the workman made a complaint to the Asstt. Labour Commissioner, Govt. of India, Curzon Road Barracks, New Delhi for taking requisite action against the management. It would also be relevant to mention here that the management was not maintaining any record of attendances and a complaint in this regard also was made to the said Asstt. Labour Commissioner. That it would further be relevant to mention here that the management was giving the salary to the workman by different-different names in different-different months by way of issuance of vouchers in different names.

That in pursuance of the aforesaid Complaint, a notice was issued to the management from the office of the Asstt. Labour Commissioner on 27-12-2001 and, therefore, with a view to victimize the aforesaid workman, his services were terminated from that very day i.e. 27-12-2001.

That the workman aforesaid is unemployed since 27.12.2001 despite his best efforts to get an alternative employment elsewhere.

That a demand notice was also served upon the Manager/General Manager of M/s New India Assurance Co. Ltd. By Regd. A/D post vide communication dated 05-01-2002, duly received in his office, but no reply has been received and it is presumed that the demand has been rejected. Thereafter, a Statement of Claim was also filed before the Conciliation Officer but the conciliation proceedings also failed due to the adamant and non-cooperative attitude of the management.

The Management has filed written statement. In the written statement it has been stated that there is no relationship of employer and employee between the parties. Mr. Lal Ji is not a workman, as claimed and is not entitled for any employment from the management/answering respondent. It has been laid down a number of times by the Hon'ble Supreme Court and reiterated in the Ref. Case "Secretary, State of Karnataka Vs. Uma Devi & Others." Reported as (2006) 4 SCC (1), it has been held "If the original appointment was not made by following the process of selection as envisaged by relevant rules, said person cannot get into regular employment". In the present case of Lal Ji, has never been appointed in the company nor any appointment letter has been issued to him nor procedure relevant to employment in Govt. Public undertaking has been followed in this matter and mere claim of Lal Ji that he has been appointed is not sustainable in the eyes of law and present petition is liable to be dismissed on the strength of judgment of the Supreme Court passed by bench of 5 judges. Even otherwise also it has been repeatedly laid down by the Hon'ble Supreme Court that back door entry in the Government job is not permitted under the law. There is phenomenal litigation, which is arisen due to the issue of directions by the High Court and even by the Supreme Court some times. But workman cannot take benefit of such claim.

There was no employment, as claimed question of termination of services of the workman on 27-12-2001 does not arise. True facts are that Mr. Lalji used to supply tea to the employees of the branch of the company at Kirti Nagar and during this period it appears that he might have been asked for a petty work in case of dire necessity and might have been paid expenses which he might have incurred. He had never been paid any wages till today nor he is entitled to the same. Earlier he has been claiming himself to be a helper and when the company refuted he changed the stand to call himself as peon. New Delhi Assurance Company is hundred percent owned Government company and there are rules, no person can be taken into the employment of the company and therefore the claim that he has been appointed on 17-11-1997 is absolutely wrong and denied. No letter of appointment has been placed on record nor any wages slip has been produced along with the statement of claim, which clearly shows that he had never been an employee of the company. Rest of the para is denied. As stated above Mr. Lal Ji had never been the employee of the company, therefore, there is no question of his being paid less wages. Once claim was made by him before the Conciliation Officer and Conciliation Officer after going the same finding no evidence on behalf of Mr. Lal Ji refused to refer the matter as industrial dispute. It is denied that any salary was being paid to Mr. Lal ji as claimed by him in different names in different months by issue of vouchers. Rest of the para is denied. That Para No.4 of the statement of claim is admitted only to the

extent that notice dated 21-12-2001 was received. Rest of the para is denied. As stated above he was never employee of the company therefore question of termination of his services does not arise.

That Para No.5 of the statement of claim is absolutely wrong and denied. He was never been employed what to speak on 17-11-97 nor his services has been terminated. The question of termination comes when a person is employed. As stated above, Company being Government company cannot any person without following the procedure laid down.

Para No.5 (I) of the statement of claim as stated is absolutely wrong and denied. Mr. Lal Ji had never been working as employee; question of permanent and regular nature does not arise.

Para No. 5 (II) of the statement of claim as stated is wrong and denied. When a person has not been paid any salary, the question of less salary or more salary does not arise. There is no violation of any law nor there is unfair trade practice as claimed.

Para No.5 (III) of the statement of claim is absolutely wrong and denied. The question of minimum wages does not arise. When a person has never been employed the question of any offence under the Minimum Wages Act does not arise.

The question of 240 days of continuous employment does not arise. As stated above, as per the Supreme Court judgment such persons who want to enter into service through the back door are not entitled for regular post.

The workman has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that he was initially engaged on 17-11-1995 as a Peon and his last drawn wages were 1750 per month. His services were terminated on 27-12-2001 without any valid reason thereof. He has worked for more than 240 days but has not been paid retrenchment compensation.

It was submitted from the side of the management that the workman was never engaged by the management. No monthly wages have been paid to him. The workman has not filed any paper to show that he has worked regularly for 240 days in any of the years of his alleged employment.

The workman has filed vouchers of 2001. The wages mentioned in the vouchers have been paid to the workman for his specific job. He has been paid Rs.300 on 22-06-2000 for cleaning the window panes and tubelight. On some

occasions he has been paid Rs.100 for cleaning the water cooler. So the specific work has been mentioned performed by the workman. These vouchers are weekly and these vouchers bear the name of different persons and relate to 2001.

The workman has not filed any other document except the vouchers. The vouchers do not indicate the payment of monthly wages and payment has been made for specific work just as cleaning windows panes and water cooler. The weekly payments have been made to different persons on these vouchers. These vouchers do not establish that the workman has worked for 240 days in any of the year. The vouchers relate only to 2001 and these vouchers are in different names.

It was submitted that the workman worked but the payment was made in the name of different persons. The workman has not shown even single slip indicating monthly payment. The workman has been paid for the work he performed. There is no engagement of daily wager.

The workman has to prove by documentary evidence that he has worked for 240 days but the workman has failed to do so. So he is thrown out of this Tribunal on the mere ground that he has filed no evidence that he has worked for 240 days. The claim fails on this count alone. The workman is not entitled to get any relief as prayed for.

The reference is replied thus:

The action of the management of New India Assurance Co. Ltd., J-129, D.C. House, Kirti Nagar, New Delhi in terminating the services of Shri Lalji with effect from 27-12-2001 is just, fair and legal. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 18-04-2007

R. N. RAI, Presiding Officer

नई दिल्ली, 25 अप्रैल, 2007

क्र.आ. 1433.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय रिजर्व बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 8/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-12012/270/2001-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S. O. 1433.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947) the Central Government hereby publishes the Award (8/2002) of the Central Government Industrial Tribunal Labour Court, Nagpur now as shown in the Annexure, in the Industrial

Dispute between the employers in relation to the management of Reserve Bank of India, and their workmen, which was received by the Central Government on 24-04-2007.

[No. L-12012/270/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/8/2002

Date: 12/04/2007

**Petitioner/
Party No.1** : The Secretary,
Reserve Bank Employees
Association, B. M. S. Office,
Mandir Marg,
Sitabuldi, Nagpur - 440 012.

Versus

**Respondent/
Party No. 2** : The Regional Director for
MAHARASHTRA,
Reserve Bank of India,
Nagpur-440 001

AWARD

(Dated: 12th April, 2007)

1. The Central Government after satisfying the existence of disputes between The Secretary, Reserve Bank Employees Association, B. M. S. Office, Mandir Marg, Sitabuldi, Nagpur - 440 012 Party No.1 and The Regional Director for Maharashtra, Reserve Bank of India, Nagpur-440 001, Party No.2 referred the same for adjudication to this Tribunal vide its Letter No. L-12012/270/2001-IR(B-I) Dt. 07-12-2001 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the Management of Regional Director for Maharashtra, R. B. I. Nagpur in paying as Rs. 100 only as special allowance to the workman Shri A. K. Mone instead of the benefits of higher pay and allowances in the cadre staff Officer Gr.-A, who has been rendering the services in Officer cadre from 1-2-2000 onwards as a personal secretary to the RDM, Nagpur is justified? If not, what relief the said workman is entitled and from what date?"

3. Consequent upon the receipt of reference the Tribunal again issued the notices to the parties and in response to the notices the petitioner union as well as the RBI has filed their Statement of Claim. It is the contention of the petitioner that in hierarchy of the bank when the Private Secretary to the senior functionaries retires the senior most Stenographers is elevated ipso facto as a Private Secretary in the cadre of the officer and he is entitled for the necessary pay and allowances and other pre-requisites admissible to that post. This fact has been followed in the

bank since immemorial times and continues to exist. At Nagpur office Shri A. K. Mone was elevated to the post of Private Secretary after the retirement of Private Secretary to the regional director for Maharashtra w.e.f. 01-02-2000. The office note was issued by bank obtaining employee's consent. It is contended that a regular office order follows as per routine, but in present case the bank has not at all issued a regular order. Consequently Shri A. K. Mone worked as a Private Secretary to the Regional Director from 01-02-2000 till April 2001 on which he himself retired on superannuation. Instead of admissible pay of the Private Secretary he was paid paltry sum of Rs. 100 per month. He performed unblemished service till the date of his retirement. He was asked to work as a Private Secretary to the Regional Director of Maharashtra w.e.f. 01-02-2000 in a clear vacancy created on the retirement of Shri R. D. Vani who was the Private Secretary earlier. He ought to have been paid all admissible benefits including rise in pay and other benefits of the post of Private Secretary. Despite of the repeated request by the Union the management failed to pay of Cadre Scale of the Private Secretary to Shri A. K. Mone, therefore, they have raised the disputes claiming that Shri A. K. Mone is entitled for the pay and allowances of the post of Private Secretary alongwith all other benefits from the period from 01-02-2000 till April 2001.

4. As against this the management resisted the claim by filing its Statement of Claim. According to it the service conditions of the staff employee by the bank are governed by the Reserve Bank of India Staff Regulations 1948. There are various classes of employees Class - I (Officers) Class-II (Private Secretary etc., now they are designated as a Class-I Officers) Class-III (Clerk, Stenographer, Typist etc) & Class IV (Sub-Ordinate, Peon Khidmagdar, Drivers, Electrician-cum-Wireman etc). In addition to it staff in Class-III & Class-IV who are workman governed by the Award, Settlement and Agreement. Shri Vani was a Private Secretary, he retired on 31-01-2000, the bank had therefore, decided to give option to the senior most Stenographer to look after the duties of the Private Secretary Grade A till the substitute arrangements was made. Before asking him to do work as a Private Secretary this consent was obtained he was given a clear understanding that he would be getting a special allowance of Rs. 130 p.m. on pro rata basis. It was purely ad-hoc arrangements with the consent of Shri A. K. Mone. The management has denied that there is any convention as alleged or that Shri A. K. Mone was promoted to the substantive post of Private Secretary in Grade-A. But he was merely asked to do the work till the Private Secretary is appointed. It was only a stop gap arrangements. Shri A. K. Mone had been paid overtime allowance as per the applicable rates whenever he had worked beyond the office hours. He has been actually paid Rs. 9,364.90 as an overtime allowance. Had he been treated as an officer he would not have legible for the same. The petitioner Shri A. K. Mone who was in Class -III cadre and he was not

entitled for the benefits of officer of Class A Grade and therefore, it has supported the action of the management. Finally it has prayed to reject the claim of the petitioner.

5. In order to prove the respective contentions Shri A. K. Mone examined himself and he has submitted the documents. It has filed the documents i.e. the order granting Rs. 100 as a special allowance. The management has filed the documents like circular, office note and other documents indicating that he was not on empanel of the promotions.

6. I have gone through the record as well as the evidence adduced by the parties. Undisputedly the petitioner Shri A. K. Mone was asked to work as a Private Secretary and he worked till the date of his own retirement. The total working period as a Private Secretary comes to near about 13 to 14 months. He was paid Rs. 100 as a special allowance. According to the union there is a convention to promote the senior most stenographer in the post of Private Secretary. Undisputedly the stenographers are workmen in Class-III cadre while the Private Secretary is from the officer's grade and he is in class I cadre. In this context the petitioner union contents that there is convention to promote a senior most stenographer in officer's grade in the post of Class-I cadre. However, there is nothing on record except the bare works of the petitioner Shri A. K. Mone. It is difficult to digest that there can be ipsofacto promotion. In fact the promotion cannot be claimed as of right. It is the well settled law unless the management has promoted any workman, he cannot claim any benefit of the post on which he is promoted and here all the papers which are on record indicates that the petitioner Shri A. K. Mone was asked to work as stop gap arrangement after the retirement of Shri Wani as Private Secretary till the substitute is provided or the post of the Private Secretary is filled. It was not at all a promotion of Shri A. K. Mone to the post of Private Secretary. Moreover, Shri A. K. Mone was not even entitled to it because his name was not appearing on impanel. Therefore, the contention of the petitioner that he was promoted cannot be accepted.

7. The same thing is in respect of the office order, which is clear enough to indicate that he was asked to work being a senior most stenographer. He was asked to look after the work of the Private Secretary till the substitute is provided. In order itself a clear understanding was given that he would be entitled to get Rs. 100 per month as a special allowance. It was done after taking his consent and Shri A. K. Mone consented to it. Moreover, the evidence indicate that a considerable amount of more than Rs. 9,000 was claimed as an overtime by Shri A. K. Mone during this period. This indicates that he himself has accepted that he is from cadre of stenographer otherwise he would not have been entitled to claim any overtime in officer's grade. He himself has claimed and accepted it which indicates that he was never promoted and even the petitioner was also knowing it. In such circumstances the action of the

management in paying Rs. 100 as a special allowance during the period from the date of looking after the charge of the higher post till he himself was retired was proper and not unfair. No doubt he continued to be in charge of the higher post for a period of near about 13 to 14 months, but that ipsofacto does not entitle him to claim that post of Private Secretary. There cannot be a right to claim a promotion and the submissions of the union that the petitioner was promoted as per convention have no consequence. In the result in my opinion the petitioner Shri A. K. Mone cannot be treated as a promoted and he was not at all entitled for any benefits of the post of Private Secretary in officer's grade. He was not entitled for the promotion. In such circumstances the action of the management cannot be treated as unfair and the petitioner is not entitled to any relief as claimed by him. In the result I answer the reference in the negative that the petitioner is not entitled for the relief as claimed by him and the reference stands as dismissed.

Hence this award.

Date 12-4-07

A. N. YADAV, Presiding Officer

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1434.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय दक्षिण रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय इरनाकुलम, कोची के पंचाट (संदर्भ संख्या 93/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-41012/168/2001-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S. O. 1434.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (93/2006) of the Central Government Industrial Tribunal/Labour Court, Ernakulam Kochi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Southern Railway and their workman, which was received by the Central Government on 24-04-2007.

[No. L-41012/168/2001-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

PRESENT : Shri P.L. Norbert, B.A., L.L.B.,

Presiding Officer

(Thursday the 12th day of April, 2007)

I.D. 93/2006

(I. D. 7/2003 of Labour Court, Ernakulam)

Workman/Union : The General Secretary
Southern Railway Men's Union
Prakash Bhawan
Thrissurpunnithura.
Adv. Shri C.S. Ajith Prakash

Management : The Divisional Personnel Officer
Southern Railway
Thiruvananthapuram.
Adv. Shri A.C. Devy.

AWARD

This is a reference made by Central Government under Section 10 (1) (d) of Industrial Disputes Act, 1947 for adjudication. The reference is:

"Whether the denial of seniority and consequential benefits to Shri T.N. Dinamani, Gangman, Cherthala on par with his juniors by the management of Southern Railway, Trivandrum is justified? If not, what relief the workman is entitled?"

2. The facts of the case in brief are as follows:—

Shri T.N. Dinamani was working as Gangman at Cherthala of Southern Railway. While so, on account of participation in strike his service along with others was terminated. Later as per the order of the Government all except the workman were reinstated. The workman approached Central Administrative Tribunal and obtained an order in his favour. Thereafter he was reinstated and joined service in the Quilon Division of Southern Railway on 22-12-1994. Later he was empanelled and in a vacancy of Group 'D' at Mavelikkara Section he was appointed as temporary Gangman. However, after appointment the seniority of the workman was not properly fixed by the Railway. He is entitled to get seniority on a par with Smt. M.K. Ammini who was a Gangwoman working at Mavelikkara. Hence the workman approached CAT once again for getting his seniority properly fixed. The Chief Personnel Officer was directed by the Hon'ble CAT to consider the representation of the workman and pass necessary orders. Accordingly the Chief Personnel Officer, Madras considered the representation of the workman and passed an order on 12-8-1997. It was observed in the order that the workman is entitled to get seniority on a par with Smt. M. K. Ammini and directed the Sr. Divisional Personnel Officer, Trivandrum to revise the seniority of the workman so as to bring it equal to the position assigned to Smt. M.K. Ammini. However the Senior Divisional Personnel Officer stated that Smt. Ammini was working in Mavelikkara Section and Shri Dinamani was transferred from Mavelikkara to Alapuzha Section and hence his seniority cannot be revised. According to the workman the said order of Sr. Divisional Personnel Officer is illegal. He is entitled to get his seniority revised.

3. Though Counsel for the management entered appearance, despite several adjournments written statement was not filed. During the last several postings the management and counsel remained absent continuously. The reference was made in 2002. The workman has filed proof affidavit and has produced three documents in support of his contentions. Ext. W1 is the order of CAT in O.A. 615/97 directing the Railway to consider the representation of the workman regarding fixation of seniority. Ext. W2 is an order of Chief Personnel Officer wherein it is mentioned that his service has been regularized and he was asked to join duty as Gangman at Mavelikkara as per the order dated 15-3-1996. With regard to seniority the Divisional Railway Manager was directed to consider that aspect and bring up his position of seniority in Mavelikkara in Permanent Way Section to a level not lower than the position assigned to Smt. M.K. Ammini or any similar juniors. Ext. W3 is the order of Sr. Divisional Personnel Officer dated 2-3-1998 stating that Smt. Ammini was working as Gangwoman in Mavelikkara Section and workman was transferred to Alapuzha Section and hence seniority on a par with Ammini cannot be fixed. In the proof affidavit the workman has reiterated his contentions in the claim statement. The evidence tendered by the claimant is unchallenged and the management remains *ex-parte*. The claim of the workman thus stands proved.

4. In the result, an award is passed finding that the workman, Shri T.N. Dinamani is entitled to get his seniority fixed on a par with his juniors and he is entitled to get all consequential benefits. The parties will suffer their respective costs. The award will take effect one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 12th day of April, 2007.

P. L. NORBERT Presiding Officer
APPENDIX

Witness for the Workman/Union:

WW1- Shri T.N. Dinamani (Affidavit).

Witness for the Management:

Nil.

Exhibits for the Workman/Union:

W1 Certified copy of order in O.A. 615/97 dated 16-6-1997 of the CAT, Ernakulam Bench.

W2 Letter No. P.363/1/CN/MS/Law/606 dated 12-8-1997 issued by Chief Personnel Officer to the workman.

W3 Photostat copy of letter No. V/P 536/I/Vol. XI dated 2-3-1998 issued from Divisional Office to the workman.

Exhibits for the Management :

Nil.

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1435.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साऊथ मालाबार ग्रामीण बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय इरनाकुलम, कोची के पंचाट (संदर्भ संख्या 15/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-4-2007 को प्राप्त हुआ था।

[सं. एल-12012/82/2005-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S. O. 1435.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (15/2006) of the Central Government Industrial Tribunal/Labour Court, Ernakulam Kochi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of South Malabar Gramin Bank and their workman, which was received by the Central Government on 24-4-2007.

[No. L-12012/82/2005-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

PRESENT : Shri P.L. Norbert, B.A., L.L.B.,
Presiding Officer

(Thursday the 19th day of April, 2007 /
29th Chaitra, 1929)

I.D.15/2006

Workman/Union : Shri K. Abdul Basheer
S/o Khader,
K. K. Kandy,
Neeleswaram P. O.

Adv. Shri Jamahudheen

Management : The Chairman
South Malabar Gramin Bank
Regd. Office : Malappuram-676505

Adv. Shri P.K. Lohithakshan..

AWARD

This is a reference made by Central Government under Section 10 (1) (d) of Industrial Disputes Act, 1947 for adjudication. The reference is:

"Whether the action of the management of South Malabar Gramin Bank in imposing punishment of removal from service of Shri K. Abdul Basheer is justified? If not, what relief the workman is entitled?"

2. The facts of the case in brief are as follows:

The workman entered service of South Malabar Gramin Bank on 21.4.1986 as fulltime messenger. He served the bank for more than 14 years. According to the workman, on 18-10-2000 he had to leave India urgently in order to attend his brother who was hospitalized. He had applied for leave and left India. He came back in 2005 and wanted to join duty. Then he came to know that disciplinary proceedings were initiated against him and he was removed from service. The action is illegal and arbitrary. Management was informed of his journey abroad and the action of the management in terminating the service of the workman is illegal. He is entitled to get salary and other benefits and also to rejoin duty. The workman was not given copy of enquiry proceedings. He was not given notice or compensation in lieu of notice.

3. According to the management the workman remained absent unauthorisedly from 17-9-2000 onwards. A registered letter issued to him to report for duty immediately returned with the endorsement that the workman was out of India. Notice was also published in the 'Malayala Manorama' daily on 6-11-2000. There was no response. It is a misconduct on the part of the workman falling within S-22.1 of South Malabar Gramin Bank (Staff) Service Regulations, 1980 and is punishable under S-30.1 of the Service Regulations. A charge-sheet was issued to the workman. There was no reply. An Enquiry Officer was appointed to go into the charges. The Enquiry Officer sent notice of enquiry to workman on 30-1-2001. But the notice returned unclaimed. Another registered notice was sent by the Enquiry Officer. It also returned with an endorsement that he was out of India. Then paper publication was effected through 'Mathrubhoomi' daily. However the workman failed to attend the enquiry and the enquiry proceeded *ex parte*. On the basis of the documentary evidence the workman was found guilty. The Disciplinary Authority imposed a punishment of removal from service w.e.f. 18-8-2001. The proceedings were published in the office notice board by the management. Thereafter on 23-3-2005 the workman submitted a representation seeking review of the order of punishment. But it was rejected by the management. Though notice of enquiry was given to the workman, he failed to attend the enquiry. Hence the Enquiry Officer had to proceed *ex parte*. The enquiry is legal and valid. The Enquiry Officer complied with the principles of natural justice. The punishment of removal from service is without disqualification for future employment. The workman is not entitled to any relief. He had abandoned the service seeking employment in better environment. Hence, according to the management, the findings and punishment do not require any interference.

4. When the matter came up for evidence the workman and counsel remained absent. The management and counsel were present. There was also no representation for the workman. The workman does not

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seem to be interested in the dispute. He had sought several adjournments for filing rejoinder, which is not yet filed. In the circumstances it has to be presumed that there is no existing dispute and it is unnecessary to adjourn the case to a future date.

5. In the result, an award is passed finding that the action of the management in imposing the punishment of removal from service of the workman, Shri K. Abdul Basheer is legal and justified and he is not entitled for any relief. The parties will suffer their respective costs. The award will take effect one month after its publication in the official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 19th day of April, 2007.

P. L. NORBERT, Presiding Officer

APPENDIX

Nil.

नई दिल्ली, 25 अप्रैल, 2007

का.आ. 1436.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. II नई दिल्ली के पंचाट (संदर्भ संख्या 146, 147, 149, 150, 151, 152, 153, 154, 155, 156 और 221/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-04-2007 को प्राप्त हुआ था।

[सं. एल-12012/656/98-आई. आर. (बी-1)]

[सं. एल-12012/655/98-आई. आर. (बी-1)]

[सं. एल-12012/653/98-आई. आर. (बी-1)]

[सं. एल-12012/652/98-आई. आर. (बी-1)]

[सं. एल-12012/651/98-आई. आर. (बी-1)]

[सं. एल-12012/646/98-आई. आर. (बी-1)]

[सं. एल-12012/647/98-आई. आर. (बी-1)]

[सं. एल-12012/648/98-आई. आर. (बी-1)]

[सं. एल-12012/649/98-आई. आर. (बी-1)]

[सं. एल-12012/650/98-आई. आर. (बी-1)]

[सं. एल-12012/256/99-आई. आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 25th April, 2007

S. O. 1436.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (I. D. No. 146, 147, 149, 150, 151, 152, 153, 154, 155, 156 & 221/1999) of the Central Government Industrial Tribunal/Labour Court, No. II New Delhi now as shown in the Annexure, in the

Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 24-4-2007.

[No. L-12012/656/98-IR (B-I)]

[No. L-12012/655/98-IR (B-I)]

[No. L-12012/653/98-IR (B-I)]

[No. L-12012/652/98-IR (B-I)]

[No. L-12012/651/98-IR (B-I)]

[No. L-12012/646/98-IR (B-I)]

[No. L-12012/647/98-IR (B-I)]

[No. L-12012/648/98-IR (B-I)]

[No. L-12012/649/98-IR (B-I)]

[No. L-12012/650/98-IR (B-I)]

[No. L-12012/256/99-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER:
CENTRAL GOVERNMENT INDUSTRIAL TRIBU-
NAL CUM LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R.N. RAI.

I.D. Nos. 146, 147, 149, 150, 151, 152,

153, 154, 155, 156 & 221/1999

PRESENT:

Sh. J. N. Kapoor

—1st Party

Sh. J. Buther

—2nd Party

In the matter of:

Shri Ram Chet & 10 Ors.,

C/o Shri J.N. Kapoor,

33-34, Bank Enclave,

Rajouri Garden,

New Delhi-110027

Versus

The Chief Manager (Pers. & HRD),

State Bank of India,

11, Sansad Marg,

New Delhi-110001.

AWARD

The Ministry of Labour by its letter Nos. L-12012/656/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/655/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/653/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/652/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/651/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/646/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/647/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/648/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/649/98-IR (B-I) Central Government Dt. 03-05-1999, L-12012/650/98-

IR (B-I) Central Government Dt. 03-05-1999 & L-12012/256/99 - IR (B-I) Central Government Dt. 09-11-1999 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether there is violation of Bipartite Settlement dated 27-10-1988 and 09-01-1990 between State Bank of India and All India SBI Staff Federation in preparing the panel of candidates and re-interviewing a few “unsuitable” candidates of first interview on 15-01-1994 and 19-01-1994 to the exclusion of others? If so, to what relief Shri Ram Chet, Sh. Vijay Kumar Sharma, Sh. Kedar Nath, Sh. Mukesh Kumar, Sh. Ram Lal, Sh. Ram Kumar, Sh. Sanjay Kumar, Sh. Ram Kishan Sharma, Sh. Lalit Sharma & Sh. Satish Kumar are entitled to and from what date?”

“Whether there is a violation of bipartite settlement dated 27-10-1988 and 07-01-1990 between State Bank of India and All India State Bank of India Staff Federation in preparing the panel of candidates of first interview on 15-01-1994 and 19-01-1994 by excluding others? If so, to what relief Shri Devesh Kumar is entitled to and from what date?”

I.D. Nos. 146, 147, 149, 151, 152, 153, 154, 155, 156 & 221/1999 involve common dispute. These are connected cases and they can be adjudicated by common award. The grounds of all the above mentioned cases are the same. So all the above mentioned cases are taken up together.

The workmen applicants have filed claim statement. In their claim statement they have stated that they were appointed in the subordinate cadre by the State Bank of India, New Delhi Main Branch.

That the workmen have worked for 49 days from April 1987 to June 1987 and their services have been illegally terminated.

That the workmen were paid very meager wages on daily wages, which were much below the minimum wages under the Minimum Wages Act and also much lower than the eligible minimum wages under the BPS. Thus the management was following unfair labour practice.

That in terms of Agreement dated 27-10-1988 and 09-01-1990 entered between the Bank and the State Bank Staff Federation, the daily wages employees would be eligible for permanent appointment provided they have completed minimum 30 days temporary service during the period 01-07-1975 to 14-08-1991.

That in terms of the above BPS, the workmen were called for interview at Delhi Zonal Office on 08-06-1992. The interview of the workmen were very good and the work and conduct of the workmen during their temporary service was also excellent.

That the interview was only a routine matter and all the persons who had worked on daily wages were required

to be empanelled and were required to be absorbed permanently according to their length of service as and when vacancies had fallen vacant in the Bank.

That since the date of interview large number of employees were absorbed permanently from the panel on the basis of their temporary service.

That the Bank after the interview held in June, 1992, neither displayed the panel of the successful candidates nor advised when the workmen would be absorbed permanently, nor advised having found them unsuitable, which was required to be done as per rules/settlements.

That the workmen had been continuously approaching the Personnel Department, Zonal Office, New Delhi and inquiring in this regard. The Personnel Officer of the Delhi Zonal Office, New Delhi was the Incharge and Custodian of the Panel List which was prepared by him on the basis of the interviews of the Daily Wagers temporary employees for permanent absorption in the Bank as per settlement.

That the Personnel Officer, Zonal Office, New Delhi always told the workmen as and when workmen went to him to know their fate, that the workmen would be absorbed as and when the vacancies are received from the Central Office. He also told the workmen that the panel has been prepared on the basis of the length of service rendered by temporary/casual workers, but he never displayed the panel list.

That about two years back all of a sudden the Personnel Department, Zonal Office declared appointment of about 200 persons out of so called panel by making deletions additions in the panel for mala fide considerations. This was a big scam and scandal and needs public probe by an outside agency.

That the workmen immediately approached the Personnel Department. They told that the name of the workmen did not exist in the Panel and as such the workmen could not be appointed. This is a mischief and mala fide and needs investigations by an outside agency.

That the workmen made representations to the Bank in regard to above mala fide and injustice done to the workmen but with no response.

That the action of the management is illegal, mala fide and amounts to victimization and unfair labour practice. The management has made serious manipulation and acted mala fide. The management followed the policy of favouritism and nepotism and corruption and acted against ethics and principles of fair play.

That having received injustice at the hands of the management, who indulged in mala fide and corrupt practices in the matter of absorption of daily wager employees in violation of the Agreements, the workmen therefore, raised an industrial dispute in this respect.

That the claim of the workmen are that the management in connivance with the Chairman of the

Selection Committee, Shri J.K. Jain, made lot of bungling in the panel for corrupt and *malafide* reasons, under the garb of reviewing/interviewing the result and that too was done after 18 months without any notice to the workmen.

That the workmen were re-interviewed. Those candidates who had push and pulls or used unfair methods got their results reviewed by the Chairman for *malafide* consideration and converted themselves from "Unsuitable" to "Suitable" which is naked and unfair game of corruption and violations of the Agreements and mockery to the recruitment systems in a premier Banking Institution. If outside agency holds the inquiry all the facts in regard to *malafide* would come to the surface.

That the Panel List was never published or displayed purposely in contravention of the BPS referred to above for *malafide* reasons. The panel list remained in the personal custody of the Personnel Officer for about five years without being published or disclosing to the candidates in regard to their result of the interview. The workmen were supposed to be intimated the outcome of the interview either by the Chairman of the Interview Board or by the Personnel Manager immediately, which was not done for *malafide* considerations. The top management and the Personnel Department in connivance with the Chairman of the Selection Committee, Shri, S.K. Jain, entered into a conspiracy and got the results altered and made manipulations. The manipulations have been done in camera for *malafide* and corrupt reasons. They did not display the Panel List immediately after the first interview or later on after review/re-interview for *malafide* reasons.

That despite instructions from the ALC, the management did not explain the basis or grounds on which they failed and declared many candidates as unsuitable in the first interview held in June, 1992 although their length of service was much more from many of those candidates who were declared successful.

That despite instructions from the ALC the management also failed to explain the basis/reasons on which they reinterviewed/reviewed some of the failed/unsuitable candidates and that too after 18 months from the date of first notified interview in which they were declared unsuitable.

That by way of above referred manipulation; the management had absorbed permanently some candidates, who had hardly put in 30 days service. In some cases, the candidates who had put in much less number of days service than the workmen had put in, were selected. The management has thus violated the provisions of BPS as well as of the ID Act, 1947. The action of the management was illegal and *malafide*.

The workmen raised industrial dispute in this regard. The management did not produce all the relevant records despite instructions from ALC. If these documents were produced the management would have been exposed and

as such these documents were willfully not filed by the management.

The ALC suggested to the management during conciliation proceedings that the stand of the management was not fair and justified, on the basis of facts placed on record by the workmen. He suggested the management to re-consider the case of the workmen and absorb them permanently as persons junior to the workmen in service and also who failed in interview had been absorbed out of the way. The management did not accede to the reasonable suggestions of the ALC.

That in view of the submissions made above, the action of the management is *malafide* and amounts to corrupt and unfair labour practice. The management has openly violated the provisions of BPS dated 27-10-1988 and 09-01-1990 for *malafide* reasons. The management illegally re-interviewed and reviewed certain candidates in whom they were interested, who were failed and found "unsuitable" in a notified general interview held as per BPS, in June, 1992. These candidates were re-interviewed/reviewed after 18 months from the date of first interview and their results were altered illegally from "unsuitable" to "suitable" whereas the workmen were not given any such opportunity, because they had neither any approach nor could fulfil the *malafide* desire of the management. Thus, the action of the management is illegal, *malafide* and amounts to corrupt practice, needs public exposure and calls for stringent action.

The management has filed written statement. In the written statement it has been stated that the State Bank of India is a public sector bank and there are set rules and regulations for the appointment of staff in the Bank. Under these rules, the Branch Manager has no authority to appoint any person. The appointment under these rules are made by the appointing authority after observing the rules in this regard with regard to giving equal opportunity to all the persons who apply for the job. Admittedly the present claimants have never been recruited in the bank through the established recruitment system. If this type of engagement are taken as appointments, then it shall open the back door in the appointments in the public sector banks and shall be violative of Article 14 and 16 of the Constitution of India. It has been held by the Hon'ble Supreme Court in a case reported in AIR 1996 page 1565 that engagement on daily wages is not an appointment to post according to the rules and the persons appointed without observing the rules cannot be absorbed permanently.

That even otherwise, the claimants are not entitled for any relief. It has been held in *Eranallor Service Co-op Bank Limited V/s. Labour Court and others* decided by Kerala High Court reported in 1987 Bankers Journal page 259 that Sec. 2(oo) suggest that the person who claims the benefits of Section 25F of the ID Act, 1947 must be one validly appointed in the services of the employer. The

services must be capable of being continued only if any of the events envisaged under clause a, b and c of Sec. 2 (oo) happens. In short the persons who claim the benefit of Section 25F shall establish that he is in the service of employer having been appointed validly. It should be remembered that it is the contract of service that is terminated. The services cannot be terminated unless it is capable of being continued. The workmen in order to avail all the benefits of Sec. 25F shall have to establish that they have the right to continue in service.

That the claimants are estopped by their act and conduct to raise the present dispute. To settle the long pending controversy, the bank entered into an agreement with All India State Bank of India Staff Federation for absorption of various persons who have rendered temporary service or were engaged as casual labour in the Bank vide agreement dated 16-07-1988 and also BPS dated 27-10-1988 and 09-01-1991. In pursuance of that the Bank made publication in various newspapers on 01-05-1991 inviting applications from these persons for absorption in the Bank provided they fulfil the eligibility criteria and are declared as successful in the interview held for the purpose. The present claimants applied in response to the said advertisement for permanent absorption in the bank. According to the provision of the aforesaid settlements, they were called for interview at Delhi Zonal Office on 11-06-1992 but the Interview Committee after interviewing the claimants did not find them suitable for permanent absorption in the Bank. Now, the claimants are raising a false industrial dispute. They cannot raise the present industrial dispute when as per the bipartite settlements they have applied for the job, they were interviewed, but could not succeed in the same.

That even otherwise, the claimants are guilty of laches and acquiescence. Their interviews were held as far back as in June, 1992 but they are raising the dispute after a lapse of more than 5 years. So, the dispute is liable to be rejected on this ground also. It is settled law that one should be vigilant and should approach the appropriate forum at the earliest. In a case reported in 1996 Labour and Industrial cases page 45, it has been held that the delay in filing the claim is sufficient to deny any relief to the claimants.

That in the statement of claim, the workmen have made certain unwarranted allegations of corruption, manipulations, malafide. All these allegations have been made in the air without any basis just to malign the bank and pressurize the public authorities to accept the illegal demands of the claimants, for which the bank reserves its right to proceed appropriately, if advised according to law to initiate the suitable legal action in the matter, which may be criminal or civil.

It is absolutely wrong that the workmen were appointed against any permanent vacancy. The workmen were engaged as casual labour for 49 days at New Delhi Main Branch on daily wages.

It is correct that bipartite settlements/the agreement dated 27-06-1988 and 09-01-1990 entered between the bank and the State Bank of India Staff Federation says that daily wage employees would be considered for permanent absorption in the Bank provided they have completed minimum 30 days temporary service during the period 01-07-1975 to 14-08-1991. However, it was never agreed or laid down that the said persons shall be absorbed permanently in the Bank which was subject to their being found suitable in the properly held interview.

It is absolutely incorrect that the interview was only a routine matter and the persons who had worked on daily wages were required to be absorbed permanently according to their length of service. It is absolutely wrong that there was no purpose of interview. As per the instructions, there was a specific purpose of interview and the Interview Board was/had to particularly find out that the candidates are capable and suitable for the job they are being permanently offered in the Bank.

There is no practice of advising the candidates who were found unsuitable by the Interview Board.

The Personnel Offices of Delhi Zonal Office was never contacted by the claimants nor were they assured or advised as alleged in the statement of claim.

It was submitted that Interview Sheets and other relevant records were duly sealed by the Interview Board and it was kept at the Personnel Section and not in the personal custody of the Personnel Officer of Delhi Zonal Office. It is absolutely incorrect that any mischief has been done for any malafide consideration. There is no question of purposely doing anything for any malafide intentions or to commit manipulation.

It was submitted by the management that the persons who were found successful by the Interview Board, they were absorbed in the Bank's service. This is absolutely incorrect that there were any deletions or additions after the panel was formed for any malafide considerations. It is absolutely incorrect that there was any big scam or scandal. As the claimants have been found unsuitable, they are levying unwarranted allegations against the public authorities. The allegations are so vague that they ought to be rejected.

It was submitted for the side of the management that as the applicants were not found suitable, so they could not be appointed in the Bank. It is incorrect that this is mischief and malafide. The plea that it needs investigation by an outside agency has no place in the statement of claim filed before this Tribunal.

It was further submitted by the management that no candidates were re-interviewed. The interview Committee reviewed the entire results by considering the performance of candidates in view of the decisions taken by the General Manager (Operations) vide note dated 03-12-1993 (copy

enclosed) contents of which may be read as a part and parcel of this written statement and which clearly shows that everything was done very fairly without any malafide intentions.

The workmen applicants have filed rejoinder. In their rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the management has acted in violation of the BPS dated 27-10-1988 and 09-01-1991.

CATEGORY "A"

Guidelines for implementation have been given for permanent appointment to those in category "A" who have performed 240 days in 12 calendar months or less during the period 01-07-1975 to 31-07-1988 as category "A".

CATEGORY "B"

In category "B" the candidates who have completed 270 days aggregate temporary service in any continuous block of 36 calendar months during the period 01-07-1975 to 31-07-1988.

CATEGORY "C"

In category "C" those candidates who have completed minimum 30 days in aggregate temporary service in any calendar year after 01-07-1975 or a minimum 70 days aggregate temporary service in any continuous block of 36 calendar months during the period 01-07-1975 to 31-07-1988.

This agreement provides age and educational qualification. Age limit should be within 18 to 26 years. The Candidates should be less than matriculate. There are provisions for relaxation of age and educational qualification. This agreement also provides the constitution of selection committee for each Recruitment Zone to interview eligible candidates and determine their suitability or otherwise for permanent appointment of the bank's service. The selection committee will record very briefly the reasons for non-suitability on the interview sheet.

It is also provided that an individual committee will interview the eligible daily wage by 31-08-1991. Waiting list will also be prepared.

There is provision (9) that the candidates found unsuitable for permanent appointment by interview committee may be advised as per the draft enclosed (Ann.5). The selection committee will prepare a panel list.

There is express provision in this agreement that the results of the interview will be declared and the candidates not found suitable in interview should be intimated so as

per (Ann.5) and the candidates found suitable should be empanelled appropriately. There is also a provision for preparation of panels of different categories.

It was submitted from the side of the workmen that the interview committee has not prepared any panel so far.

MW-1 has specifically stated in his cross-examination that he does not know whether a panel list was prepared or not as the records available with him in the court do not indicate anything. He has further stated that he does not know whether a panel list was prepared or not. No panel list has been filed on the record and this witness has stated that he did not know whether any panel list was prepared. So the management has violated the guidelines in agreement Page 13 in which it has been specifically mentioned that the panel of successful candidates in interview will be prepared. It is almost admitted fact that no panel of successful candidates has been prepared and the management has violated the terms of agreement as referred to above. No supplementary panel has also been drafted. The interview committee has violated the para 9 of the BPS.

It was further submitted from the side of the workmen that the management has violated terms of agreement dated 27-10-1988 and 09-01-1991 in respect of (IX) of intimating the un-successful candidates. P-IX stipulates that the candidates found not suitable for permanent appointment by the interview committee may be advised as per the draft enclosed (Ann.5). There is nothing on the record that panel of successful candidates were prepared after interview and there is nothing on the record to show that the un-successful candidates after interview have been intimated in Ann. 5.

In case there is specific provision in an agreement regarding intimation to the un-successful candidates, the management was duty bound to implement the same. MW-1 has arrogantly stated there is no requirement to display and intimate the candidates who were successful and un-unsuccessful. There is specific provision (P-IX) which speaks of requirement and intimation to be given to the successful and un-successful candidates. The management has violated this provision of the BPS.

It was further submitted from the side of the workmen that there is no provision for reviewing the result and the AGM & GM are not competent authority because the BPS is between the Union and the Bank. MW-1 has replied that he did not have knowledge regarding the review.

Some discrepancies and malafides were pointed out by the union just as:

1. It is quite vivid from the review sheet dated 15-01-1994 that Shri Vijender Kumar has worked for 660 days and in the interview conducted on 01-06-1992 he was found not suitable as his expression was not up to the mark. This candidate has again been selected on 15-01-1994 in view of length of his service.

2. The list reveals that the candidates at Sl. No.11 and Sl. No. 20 have worked for 397 days and 360 days have been found un-suitable at the time of their initial interview as their awareness was zero and they were found inactive and dull.

3. Shri Chhatar Singh has performed 359 days work. He was found un-suitable on 10-06-1992 as his awareness was poor. He was not selected even on 19-01-1994 as on review no change was found, whereas Shri Devinder Kumar has performed 102 days work and he was found un-suitable on the ground of his awareness being poor and he being unable to respond, in review he was found suitable on 19-01-1994 in view of length of service.

4. Shri Chhatar Singh has worked for 359 days still the interview committee did not find any change whereas Shri Devender Kumar has performed only 102 days work was found un-suitable on two points i.e. awareness poor and unable to respond and he has been selected in review on 19-01-1994 in view of length of his service. There is no remark that he has improved his awareness and strength of response. His long service has been the only ground for his suitable in review on 19-01-1994 whereas Shri Chhatar Singh who has performed 359 days work and there is only a remark awareness poor but he has not been found suitable for permanent appointment.

5. Md. Mubeen appeared before the interview committee on 11-06-1992. He has worked for 86 days and was found unsuitable as his awareness was zero and he was unacquainted with the bank's work. On 19-01-1994 during the review he was found suitable.

6. Shri. Tej Pal figuring at 71 has worked for 58 days found un-suitable as he was dull and having complete lack of awareness. His case was reviewed on 19-01-1994 and he was found full of awareness and full of activity and he was found suitable.

These are the few instances which show that the workmen who have performed longer period of work than 240 days have been rejected by the interview committee on whimsical grounds and those candidates who have performed lesser period of work and whose awareness was found zero on the date of previous interview have been selected in review.

The interview committee has followed discriminatory policies for selection and rejection of the candidates and the interview sheet and the review sheet amply proves that the candidates who have performed greater number of days, have been rejected on whimsical grounds and those, performing hardly above more than 30 days have been found suitable and in review even, the candidates who have performed a very lesser number of days have been found suitable without any remark regarding their awareness, knowledge & activity.

It is of course true that the interview committee can test expression and activeness of the workmen but it is not

entrusted to test the general awareness and general knowledge of the workmen. The BPS referred to above lays down to main eligibility criterias. The first is the working days and the 2nd is the educational qualification. It appears forbiddable that those candidates who have performed two years continuous service have been found zero in general awareness and dull in activity. The bank has taken two years work finding them fit in expression, knowledge and activity. Two years satisfactory performance is itself certificate of expression activity and knowledge but candidates having worked for two years have been rejected as their general knowledge has been held by the interview committee as zero and expression poor. The interview committee is almost only a scrutiny or screening committee. It may test expression and activity of those candidates who have performed a lesser period of work. The candidates performing two years work cannot be rejected by the interview committee on the ground of awareness being zero and expression being poor and activity being dull. Had it been so they would not have been continued for two years. This indicates that the interview committee acted arbitrarily and mala fide.

It was submitted from the side of the management that panel list has been prepared and candidates found not successful have been informed. The list has been disclosed on the notice board. No such lists of any un-successful candidates and successful candidates have been filed on the record. The interview committee was duty bound to prepare a panel.

MW-1 has categorically admitted that he was not aware whether the Board Members were appointed as per the agreement or not. He has further stated that he was not aware why the office note as to review by another committee headed by Dy. General Manager, AGM has not been acted upon. He has also expressed his un-awareness why the same board reviewed the candidates. There is office note dated 03-12-1993 but there is no signature after making some deletions in the office note. MW-1 has also expressed his inability to tell who added those remarks. The interview committee has acted against office note of 03-12-1993. As per the office note another committee was to review the results of the candidates but the same committee has reviewed the results. This also indicates mala fide practice on the part of the interview board.

The interview committee has violated Para - 7 of the BPS as no waiting list has been prepared. There is no list displaying the candidates suitable for non-messengerial work, for combined work, for positions of bank Guards and for appointment of sweepers. The interview committee has not prepared panels of suitable candidates in category A, B & C.

As per BPS names of candidates are to be given in descending order according to length of temporary service put in by them. No such list has been prepared.

Interview committed has violated Para - 8 of the BPS as no candidate of the waiting list has been given appointment.

The committee has violated Para-9 of the BPS regarding candidates not found suitable. No list of unsuccessful candidates has been prepared and no intimation has been sent to them in Annexure-5. The interview committee has contravened Para - 10 of the BPS as no panel has been prepared and no panel has been sent to the branches. The interview committee has not declared the result of the interview.

It was further submitted from the side of the workmen that the selection committee has violated Para - 6, Pg.9 of the BPS. The interview committee was to be constituted separately for separate zone comprising of Regional Manager and Administrative Officer, A Branch Manager and interview was to be taken within recruitment zone but it appears that there is only one interview committee and this committee has interviewed all the candidates. The Office Bearers mentioned in Para - 6 of the BPS have not been taken in selection committee. There is no zonewise interview. There is no zonewise interview committee.

LIST SHOWING NAMES OF THE CANDIDATES WHO HAD WORKED FOR LESSER NUMBER OF DAYS AND FOUND SUITABLE.

Sl. No.	Name	No. of days worked	Result
1.	Timmoo Kumar	37	Suitable
2.	Suresh Kumar	39	Suitable
3.	Sanjay	36	Suitable
4.	Rai Kumar Jain	34	Suitable
5.	Raj Kumar	30	Suitable
6.	Rajinder Kumar	32	Suitable
7.	Ajit Singh	32	Suitable
8.	Kapal Raj	30	Suitable
9.	Kishan Lal	31	Suitable
10.	Bal Raj Kumar	31	Suitable

LIST SHOWING NAMES OF THE CANDIDATES WHO HAD WORKED FOR MORE NUMBER OF DAYS AND FOUND UNSUITABLE.

Sl. No.	Name	No. of days worked	Result
1	2	3	4
1.	Bijender Kumar	660	Unsuitable
2.	Narinder Singh	339	—do—
3.	Tara Chand	105	—do—

1	2	3	4
4.	Brij Lal	284	Unsuitable
5.	Ved Prakash	86	—do—
6.	Rajesh Kumar	154	—do—
7.	Roop Chand	397	—do—
8.	B. D. Joshi	105	—do—
9.	Harjinder Singh	78	—do—
10.	Mohan Lal Sharma	360	—do—
11.	Surinder Kumar	106	—do—
12.	Mahipal	163	—do—
13.	Rajender Singh	267	—do—
14.	Narain Singh	365	—do—
15.	Virender Singh	128	—do—
16.	Shivraj	99	—do—
17.	Rakesh Kumar	121	—do—
18.	Satish Kumar	85	—do—
19.	Devender Kumar	102	—do—
20.	Chhatar Singh	359	—do—
21.	Karam Singh	121	—do—
22.	Mahinder Kumar	101	—do—

The charts reproduced above show that 10 workmen who have completed work of 30 to 35 days have been found suitable whereas 22 candidates who have worked for more than 100, 200, 300, and 600 days have not been found suitable. This is sufficient to prove that the candidates performing lower number of days have been found suitable whereas the candidates who have worked for 1 to 2 years have not been found suitable on some pretext or the other. The interview committee was not entrusted with any such discretion as per BPS. The panel is to be prepared in descending order but it has not been done so.

It was submitted from the side of the management that there is delay and latches. The review was conducted in 1994 but this case has been raised in 1999. The list of unsuccessful candidates has not been prepared and the same has not been displayed on the notice board, so the workmen raised the industrial dispute when they came to know of the results of the interview, so there is no delay.

It was further submitted that the workmen have not appeared before the Tribunal on any of the dates of hearing, so they are not interested. The workmen have appeared in interview and even in review. This dispute has been raised by the Union so it cannot be said that the workmen are not interested.

It was further submitted that the dispute is not an industrial dispute as there is no espousal. It has been espoused by Shri J.N. Kapoor, Authorized Representative

of the Union so there is proper espousal and the dispute is an industrial dispute. Section 2 (a) of the ID Act is not applicable in such cases. The present dispute is covered under 2(k) of the ID Act, 1947 and union can raise such disputes and the physical presence of the workman is not required. The case law cited by the management is not applicable in the facts and circumstances of the present case.

It was submitted from the side of the workmen that those candidates who had push and pulls and used unfair methods got their results reviewed by the Chairman for malafide reasons and unsuitable candidates have been converted to suitable on the ground of naked and unfair game of corruption and violation of the agreement and due to mockery in the recruitment system in premier bank constitution.

It was further submitted that the management and the Personnel Department in connivance with the Chairman of the selection committee Shri S.K. Jain entered into a conspiracy and got the results altered and manipulation as panel list was not displayed immediately and it has not been displayed so far.

Malafides and corrupt practice are to be ascertained from the facts and circumstances of the breach of the BPS.

The interview committee has not constituted zonewise and zonewise interview has not been taken, so there is violation of the BPS. Panel list after interview has not been prepared of successful candidates and un-successful candidates have not been informed in Annexure - 5 of the BPS. It was mandatory for the interview committee to inform the un-successful candidates in Annexure - 5 but it has not been done. It was mandatory for the interview committee to prepare panel of the successful candidates and of unsuccessful candidates and to inform the un-successful candidates so that they may make further representations. Interview sheets have been kept concealed and the result has not been published. This indicates malafides of the interview committee.

The breach committed by the interview committee of the BPS has been enumerated above. In case selection process is not followed in its spirit and form, intention of malafides comes to the floor. The interview committee has followed pick and choose discriminatory tactics in finding suitable candidates on arbitrary and whimsical grounds. The malafides have been reflected above. The interview committee has not acted fairly.

Several terms of BPS dated 27-10-1988 and 09-01-1990 have been deliberately violated by the interview committee with ulterior motives and malafide intention and selection has not been made in consonance with the terms of the BPS. The entire procedure adopted is a mockery.

The reference is replied thus:

1. There is violation of Bipartite Settlement dated 27-10-1988 and 09-01-1990 between State Bank of India and All India SBI Staff Federation in preparing the panel of candidates and re-interviewing a few "unsuitable" candidates of first interview on 15-01-1994 and 19-01-1994 to the exclusion of others. Shri Ram Chet, Sh. Vijay Kumar Sharma, Sh. Kedar Nath, Sh. Mukesh Kumar, Sh. Ram Lal, Sh. Ram Kumar, Sh. Sanjay Kumar, Sh. Ram Kishan Sharma, Sh. Lalit Sharma & Sh. Satish Kumar are entitled to be absorbed. The management should absorb the above mentioned workers within a period three months from the date of the publication of the award.
2. There is a violation of Bipartite Settlement dated 27-10-1988 and 07-01-1990 between State Bank of India and All India State Bank of India Staff Federation in preparing the panel of candidates of first interview on 15-01-1994 and 19-01-1994 by excluding others. Shri Devesh Kumar is entitled to be absorbed. The management should absorb this workman within three months from the date of the publication of the award.

The award is given accordingly.

Date: 18-04-2007.

R.N. RAI, Presiding Officer